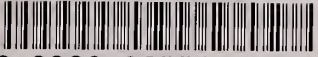


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REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING JANUARY 3, 1938, AND ENDING DECEMBER 29, 1938



CITY OF BOSTON
PRINTING DEPARTMENT
1939

INDEX

TO THE

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- NEWFIELD ST., WARD 20: accept, lay out under W. P. A. plan of construction, 112
- NEW HAVEN ST., WARD 20: accept, lay out under W. P. A. construction plan, 305
- NEWMAN ST., WARD 7: resurface, W. P. A. construction plan, 222-message, communication, 243
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- OAKVIEW AVE., WARD 11: accept, lay out, W. P. A. plan of construction, 284
- OLIVA RD., WARD 22: accept, lay out under W. P. A. construction plan, 272
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- ORCHARD ST., WARD 19: resurfacing W. P. A. type of construction, 209—message, communication, 243
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- PARTRIDGE ST., WARD 20: accept, lay out, 318
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- PRENTISS ST., WARD 20: accept, lay out, 318
- RADCLIFFE ST., WARD 14: resurfacing under W. P. A. plan, 178—message, communication, filed, 186
- REDWOOD ST., WARD 16: accept, lay out, 91
- RENA ST., WARD 22: accept, lay out, 221; accept, lay out under W. P. A. construction plan, 272
- RICKER ST., WARD 20: accept, lay out, 199
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- ROCKINGHAM RD., WARD 18: accept, lay out, W. P. A. type construction, 89, 106, 159
- ROCKMERE ST., WARD 13: resurfacing under W. P. A. plan, 106—message, communication, filed, 123
- ROSEMARY ST., WARD 11: resurfacing under W. P. A. construction plan, 314—message, communication, 344
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- ROSSETER ST., WARD 14: resurfacing under W. P. A. plan of construction, 183—message, communication, filed, 201
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- SAFFORD ST., WARD 18: accept, lay out off Wood ave., 315
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- St. STEPHEN ST., WARD 4: resurfacing under W. P. A. plan for construction, 209
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- SOUTH AT FAIRVIEW ST., WARD 20: painting crosswalk lines at junction, 318—message, communication, 343
- SOUTHBOURNE RD., WARD 19: accept, lay out with W. P. A. type construction, 246
- SOUTH HUNTINGTON AVE., WARD 10: sidewalk in front of No. 365 288—message, communication, 307
- SOUTH HUNTINGTON AVE. AT PERKINS ST., WARD 10: traffic signals 57—message, communication, passed, 95
- SPRING ST., WARD 20: arc light at Centre st., 106—message, communication, filed, 123
- SPRING GARDEN, WARD 13: resurfacing, W. P. A. construction plan 284—message, communication, 308
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- STANWOOD TER., WARD 14: resurface, W. P. A. construction plan 222—message, communication, 242
- STANWOOD ST. (TERRACE), WARD 14: accept, lay out, 254
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CITY OF BOSTON.

Proceedings of City Council.

INAUGURAL EXERCISES.

Symphony Hall, Boston, Mass.,
Monday, January 3, 1938.

The ceremonies attending the inauguration of Mayor-Elect Maurice J. Tobin and the City Councilors-elect of the City of Boston were held in Symphony Hall at ten o'clock a. m., the Mayor-Elect and the members-elect of the Council for 1938 being present with the exception of Councilor-Elect Philip Austin Fish.

There were also present on the platform Gov. Charles F. Hurley, Lieut.-Gov. Francis E. Kelly, living ex-Mayors of Boston, heads of departments and invited guests. After organ selections by Lawrence B. O'Connor, the Mayor and councilors-elect entered to a processional inaugural march, "A New Era," by Mr. O'Connor, dedicated to the Mayor-Elect, and played by the Boston Public School Symphony Orchestra under the direction of Joseph Wagner, Assistant Director of Music in the Public Schools, followed by the singing of "America" by Marie Murray, assisted by the General Edwards Orchestra, Joseph J. McNamara, directing.

The invocation by the Rev. John B. Creeden, S. J., Regent, Boston College Law School, was as follows:

Almighty and Eternal Ruler of the universe, we know that unless Thou keepest the city, he watches in vain that keepeth it. It is, then, with a deep sense of our lasting dependence on Thee that we come into Thy presence on this solemn inaugural day, imploring Thee to guide all the officials who are appointed to guard our political, economic and moral welfare during the four years that are to follow, that they may be enabled by Thy powerful protection to perform their respective duties with honesty, fidelity and ability. May their every thought and action be directed by Thy helpful inspiration and carried on by Thy gracious assistance to a happy conclusion. Thou hast said, counsel and equity are mine, prudence is mine, strength is mine. May he who on this day, in accordance with the choice of Thy people, has received from them the power and authority of chief magistrate, share abundantly in these virtues. Grant him wisdom of counsel, that in the solution of each and every problem he may desire only what is pleasing to Thee and useful to Thy people, that he may conceive his plans carefully and execute and accomplish them perfectly, to the praise and glory of Thy name. Grant him the virtue of understanding, that he may carry out his civic duties not according to the moods and whims of favor, but with the simple sincerity that must characterize a man who knows that he is the humble administrator of the God of Justice. Grant him the virtue of prudence, that in the administration of all measures of government he may have regard for Thy glory and the greater welfare of Thy people. Grant him strength of body and soul, that with unflinching courage he may meet and conquer the difficulties that he may encounter, walking always in the paths of righteousness, not swayed by the counsels of the rich and powerful or the greedy and ambitious.

We pray likewise that all the people of this city may be lawful and obedient to the ruler they have chosen, so that this administration may be conducted with harmonious cooperation, that virtue and religion may be encouraged, that all laws may be executed, and that justice and mercy may prevail. May the pure and upright lives of the rulers and the people during the next four years merit the grace of protection by Thy providence, so that civic happiness, industry and prosperity may be advanced and useful knowledge may be promoted, to the end that all the people of this city may merit the blessings that come to men of good will. Amen.

The Vienna Mozart Boys' Choir, presented by the Intercollegiate Music League of a Boston, Dr. Georg Gruber conducting, rendered a selection.

City Clerk WILFRED J. DOYLE read a communication from the Board of Election Com-

missioners certifying to the election of Maurice J. Tobin as Mayor, after which the oath of office was administered to Mayor-Elect Tobin by Chief Justice Arthur P. Rugg.

Then followed an orchestral selection by the Boston Public School Symphony Orchestra.

City Clerk DOYLE read a communication from the Board of Election Commissioners, certifying to the election of members of the City Council, as follows:

Ward 1, Francis W. Irwin, 216 Havre street.
Ward 2, William J. Galvin, 46 Monument avenue.

Ward 3, John I. Fitzgerald, 7 Allen street.
Ward 4, Perlie Dyar Chase, 136 Huntington avenue.

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, Mildred M. Harris, 36 Guild street.

Ward 10, William A. Carey, 139 St. Alphonsus street.

Ward 11, Edward L. Englert, 18 Iffley road.
Ward 12, Charles I. Taylor, 181 Ruthven street.

Ward 13, Edward A. Hutchinson, Jr., 69 Saxton street.

Ward 14, Sidney Roscnberg, 576 Blue Hill avenue.

Ward 15, John B. Kelly, 16 Inwood street.
Ward 16, Philip Austin Fish, 4 Arundel park.

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, Theodore F. Lyons, 100 Ardale street.
Ward 21, James E. Agnew, 92 Wallingford road.

Ward 22, Maurice H. Sullivan, 76 Antwerp street.

It appeared that all were present except Councilor-Elect Philip Austin Fish of Ward 16. The roll of the members-elect of the City Council was called by City Clerk DOYLE and as the names were called the members arose. The oath of office was administered by Mayor Tobin.

After an orchestral selection by the Boston Public School Symphony Orchestra and singing by the Vienna Mozart Boys' Choir, Mayor MAURICE J. TOBIN delivered his inaugural address, as follows:

To the City Clerk, the Reverend Father, Members of the Boston City Council, and the People of the City of Boston.

I enter upon my duties as Mayor of the City of Boston with hope in my heart; with prayer on my lips; with a deep feeling of gratitude for the opportunities afforded me; and with a full realization of the responsibilities ahead.

Boston — the city we all love — the city of glorious history and fine tradition — has been a great city for over one hundred years. I will try with all the faculties entrusted to me — with all the power and energy at my command — to preserve and improve the standing of our city during the four years immediately before us.

The problems which now beset our city are grave problems — some chronic and some acute. Our progress or retrogression as a great metropolitan center depends, in large measure, on the manner and method by which we meet these problems. There is no easy solution of them. There is no magic panacea to cure them. Most of these problems are the offspring of the depression. There has been an abnormal growth — a growth which threatens the progress of our city, and the progress of our citizens as individuals. These problems are no longer transient visitors, but unwelcome guests whose permanent attendance at our table is a likelihood unless positive measures are taken to induce them to depart. We cannot hope that, overnight, they will take their leave, but leave they must, and, with patience and courage as our weapons, their departure is inevitable.

It is not my understanding that the people of Boston elected me to this great office in the belief that through some financial wizardry I would be able immediately to relieve the burden on the taxpayers, and, while achieving this result, continue the many and varied municipal services that have become so vital to the life of the community that their impairment to any great degree is unthinkable.

Rather, I believe it was their hope that I would face the situation frankly and openly; that I would conduct the city's affairs economically; that I would adopt or introduce any improvements in

administration that might result in decreased expense; and that I would use my best efforts to keep the tax rate of our city within reasonable bounds.

This statement of what I regard as the hope of the citizens is in reality a brief summing up of the principles that I propose shall govern my course as Mayor during the ensuing four years. It is obvious that any particular questions of administration, whether possible of accomplishment or not, by their very nature, must be comprehended within these principles, and for that reason it is not my intention to devote any part of this address to such matters.

To me it seems far more important that the people of Boston should be fully informed on the one vital and outstanding problem that immediately confronts the administration; that is—

THE FINANCIAL SITUATION OF THE CITY.

The city auditor, at my request, has prepared a comparative table of the appropriations and estimated receipts used in the computation of the tax rates of the city for the past ten years, which exhibits clearly the effects on its financial condition of the depression and the various expedients which have been used to keep down the rate. An inspection of this table produces some very interesting and illuminating information.

Ten years ago the appropriations for all city departments, except public welfare, using round figures, were \$51,312,000, including \$3,500,000 for school buildings. In 1937 the appropriations for the same departments amounted to \$46,900,000. In other words, over a ten-year period, the appropriations for all city departments, with the exception of public welfare, show a decrease of \$4,400,000. This is contrary to the generally accepted opinion that costs of operation of city departments have tremendously increased over this period of time. If we exclude public welfare appropriations, the reduction in general departmental appropriations, based on the present tax rate, would represent a decrease of about \$2.60 in the tax rate.

Ten years ago the appropriations for county and state purposes, over which a mayor has little control, were \$7,700,000. In 1937, those appropriations had increased \$600,000, to a figure of \$8,300,000, and this increase represents in the present tax rate an increase of about forty cents.

Taking public welfare requirements separately, we find that in 1928 appropriations for this department totalled \$2,350,000. In 1937, it was necessary for the city to appropriate for public welfare purposes \$11,950,000, or an increase in appropriations for relief purposes over a ten-year period of \$9,600,000. This increase represents in the tax rate the sum of \$5.80.

In 1928, the appropriations for debt requirements and Boston Elevated and tunnel deficits were \$7,560,000. In 1937, it was necessary to appropriate \$13,570,000 for these purposes, or an increase of \$6,000,000. This increase represents in the tax rate the sum of \$3.60.

In 1928, the tax rate was \$28.80. Ten years later, in 1937, the tax rate was fixed at \$38.70, although without borrowings and other expedients the tax rate for the last year would have been approximately \$43.

Given a larger view of the appropriation picture, we find that in 1928, for all purposes, appropriations totalled \$68,940,000. As an offset against this total, ordinary receipts from city and state income amounted to \$14,160,000, leaving to be raised by taxes or otherwise, and including overlay, the sum of \$56,425,000.

In 1937, our total appropriations for all purposes were \$80,700,000, with income offsets amounting to \$14,400,000, leaving to be raised by taxes or otherwise, and including overlay, the sum of \$68,290,000. In other words, over a ten-year period, it has been necessary for the city, in order to meet its general appropriation requirements, to increase the tax levy upon the properties of its citizens by \$11,800,000.

To recapitulate, the appropriations changes from 1928 to 1937 were as follows:

In all city departments, except welfare, there was a decrease of \$4,400,000.

For county and state requirements, there was an increase of \$600,000.

For public welfare requirements, there was an increase of \$9,600,000.

For debt requirements and elevated and tunnel deficits there was an increase of \$6,000,000.

In short, in ten years, our appropriation requirements in three major items have increased

\$16,200,000; decreased in the other item \$4,400,000; leaving a net increase of \$11,800,000.

This large increase in appropriation requirements would, in itself, be cause for grave concern.

But, in the meantime, the taxable valuations of properties—from which the city receives its main revenues—decreased to a marked extent. In 1928, the valuation on properties in the city was, in round figures, \$1,900,000,000. In 1937, those valuations had dropped to \$1,600,000,000, or a loss of \$300,000,000 in taxable properties in the city. That means a loss of more than \$9,000,000 in current revenue.

It is evident from a perusal of these figures that it is not municipal waste or extravagance, or the extension of municipal activities, that has caused us, unless we borrow for current expenses, to be faced with a possible tax rate of \$45 or \$46, but it is mainly due to three factors, none of which, except to a slight degree, are under the control of the Mayor. These factors are: (1) Decrease in property valuations. (2) Increase in public welfare appropriations. (3) Increase in debt requirements and elevated and tunnel deficits. These three factors have become the almost immovable rocks standing in the way of municipal stability and progress. There are elements of lesser importance which have some bearing on our financial standing, but these three factors are the sources from which most of our difficulties have proceeded. For us to control them, rather than to be controlled by them, is a task which I have reason to hope is not impossible.

It is necessary to make these statements and deductions. They describe a situation which exists and for which I am in no way responsible. It may well be said: that no one could foresee that the depression would last seven years; that no one could foresee that the temporary expedients to distribute the burdens over the future would be annually recurrent; that no one could foresee that a temporary public welfare and unemployment pay roll would bid fair to become permanent.

Whether permanent or not, the situation that faces us must be met squarely and with courage.

I am falling an ungrateful heir to many inheritances which, whether I will it or not, must be accepted by me. For some years the city has followed a policy which might be said to be the easiest, if not the wisest policy. Accumulated obligations and commitments have now reached the point beyond which it is not safe to go.

To temporize any longer may be dangerous to the future welfare of our city. The course of the city must be changed. If it is not, we are heading for the shoals of serious financial trouble.

What then is the immediate financial picture of the city? The figures presented to me show estimated requirements for the year 1938 of \$83,800,000 for the municipal activities as at present organized. The estimated ordinary receipts are \$14,800,000. Therefore we are going to need, with the proper overlay, \$71,000,000 to run the city in 1938. If a \$38 tax rate were declared, and the improbable happened of a one hundred per cent collection, only about \$59,000,000 would be raised, leaving the city \$12,000,000 away from a balanced budget.

Of the \$83,800,000 gross requirements for 1938, \$41,000,000 represents fixed charges such as debt requirements, state and county taxes, schools, *et cetera*, leaving but \$42,800,000 for the ordinary running expenses of the city, over which the Mayor has direct control. If all the proposed improvements in methods suggested in the past ten years were put into effect immediately and resulted in the economies anticipated, it is doubtful if those savings would be in excess of a million dollars unless further substantial savings can be made in the schools and public welfare expenditures. It requires no extended argument to indicate the impossibility of cutting off \$12,000,000, more or less, from the \$42,800,000 devoted to the ordinary running expenses of the city without a virtual stoppage of vital city services.

The result of all this tedious recital of the factors involved in our present financial situation is simply this:

The City of Boston must obtain this year eleven or twelve millions of dollars from sources other than real estate, or face a tax rate of \$45 to \$46 per thousand.

That is the approximate tax rate which faces us unless we again resort to temporary expedients, or unless we take positive steps, not immediately determinable, to prevent such a heavy burden on the taxpayers of our city.

All of the threads which weave in and out of our financial structure converge to make the tax rate reasonable or unreasonable. A tax rate which reaches confiscatory proportions is a double-edged sword at the throat of the city. Its burden is felt most keenly by those who have invested in homes or industrial properties in our city, and it is the one obstacle which, more than any other, stands in the way of the commercial and industrial development of our city.

I cannot leave this rather complicated picture of the city's financial situation without discussing, at least briefly, an important factor which contributes greatly to the financial troubles of the city, that is, real estate valuations.

While the interdependence of real estate valuations and the tax rate involves an elementary process of arithmetic which is well understood, it is my opinion that its very simplicity tends to divert attention from the real principle. As an example, —if it requires \$60,000,000 to be raised by taxes on real property to meet the necessary expenses of any city, and the valuation of that property is \$2,000,000,000, the tax rate will be \$30 per thousand. If the valuation is reduced to \$1,500,000,000, the tax rate will be \$40 per thousand. In either case the taxpayers contribute \$60,000,000, but if, as has happened in our city, the reduction in valuations has been almost exclusively on business and mercantile buildings, the savings in taxes to the owners of these properties comes out of the pockets of the small taxpayers.

For the benefit of the whole community it is to be hoped that there will be a substantial diminution in the efforts of the owners of down-town office and mercantile buildings to force a reduction in the assessed valuations of their properties by arguments based in most cases on forced sales in a prostrate real estate market, or on reduced rentals or other factors accompanying a depression, but which are not, unless Boston is dying as a commercial city, entirely justifiable as a measure of the intrinsic value of the properties. While reductions may still be warranted on some properties and in some particular locations, a general participation in this drive, which has already reduced valuations by over \$300,000,000, is not only unfair to the thousands of small property owners but is unwise and short-sighted, in that, by causing an undue high tax rate, it has a disastrous effect on the commercial and business development of the city.

However, it is my intention to put into effect as speedily as possible whatever improved methods of assessing may be available and to attempt to correct whatever injustices and inequalities which may appear in the present valuations.

To the solution of these problems, if there is a solution, I intend to devote my best efforts during the next few months. I hope for and expect the assistance and cooperation of the Governor of the Commonwealth, the Legislature, the City Council, the Boston Chamber of Commerce, the Retail Trade Board, the Finance Commission, the Real Estate Exchange, the Municipal Research Bureau, the representatives of the Boston banks, and of all the civic organizations interested in our city affairs.

CONCLUSION.

In concluding this—my first official message to the citizens of Boston—let me observe that in the last analysis the welfare of the State of Massachusetts, and in some degree the whole of New England, is involved in the prosperity of Boston. The problems which confront the Mayor and the City Council who are today inaugurated belong not only to us who live within the borders of our city, but, to some extent, to those who live outside our borders. These are problems common to us all, and while they are serious, I am optimistic enough to believe that they will be surmounted by united and unselfish efforts. (Applause.)

To the members of the City Council who today take office with me, let me—perhaps unnecessarily—venture the thought that the success of the administration for the ensuing four years depends in a large measure upon that assistance and cooperation, which from my personal knowledge of their characters and integrity, I shall expect, and which I gratefully acknowledge in advance.

And now, in a more personal vein, I wish to impress upon the citizens of Boston that I have endeavored in this message to discuss, briefly to be sure, the one major problem now confronting the city, namely, the city's financial status. I have purposely refrained from a discussion or an exposition of varied proposals and purposes which

make interesting reading, but which are administrative in character and depend for their accomplishment on the soundness and stability of the city's financial structure.

Under my administration there will be no excessive or major expenditures of an extraordinary nature. There will be no capital outlays not justified by the very emergency and urgent necessity of the demands. There will be no piling of debt upon debt for projects useful in character and objective, but which we may well delay or dispense with until our financial condition warrants such expenditures.

Economies to reduce our expenditure level will be instituted wherever possible. Operating and maintenance costs will be kept within reasonable bounds, and consonant with the type and character of service rendered to the taxpayers.

I believe it unnecessary for me to say that I feel a deep and serious obligation to the citizens of Boston. I want, and hope, to justify the faith you have reposed in me. I know you do not expect from me the impossible, nor do you expect me to suddenly tear away the veil that has obscured our progress and expose to your gaze a vision of the perfect city. There is much work ahead. There are many difficulties to overcome. There are many obstacles in the way of normal and healthy progress which first must be removed.

I cannot guarantee perfection as Mayor of our city, but I can guarantee that I will make every possible effort to prove that your choice of me as Mayor was not made unwisely. I will need assistance and advice. I will seek that assistance and advice both within and without the city government. I will do my very best to give to our city the kind of executive direction which will result in sound and progressive city government.

I ask all my fellow citizens to hear with me and not be too impatient for results. The situation I inherit—a situation primarily resulting from abnormal economic conditions—is the worst faced by any Mayor in the long history of our city. I intend to meet the situation as I find it—to meet it with honesty and to employ honest methods and means to improve that situation. The outlook is far from bright, but neither is it altogether discouraging.

There is no situation—there is no condition—for which there cannot be found, at some time, some remedy or remedies. We are going to find those remedies if at all possible. I believe that the spirit, the labor and the genius which has made Boston a great city for over a century can again be revived. Other generations have met their peculiar problems. We can, we must, and we will meet our problems with the same fortitude, with the same unbending courage, and with the same confidence of eventual success.

With the inspiration of the faith you, the citizens of Boston, have expressed in me, and with a prayer for the Divine guidance of Almighty God, Who can shape the destiny of the universe and all things and creatures, I take over the office of Mayor of my native city, hopeful, in all humility, that we will lead our city to a brighter and better future.

(Great applause.)

After the singing of the "Star-Spangled Banner" by Marie Murray and a recessional by the orchestra, the meeting adjourned at 11.15 a. m., the members of the City Council then proceeding for their organization to Faneuil Hall.

MEETING OF THE CITY COUNCIL.

The City Council of 1938 were called to order in Faneuil Hall by Coun. SHATTUCK, senior member, at 12.05 p. m., all the members present except Coun. Fish.

Chairman SHATTUCK—A quorum is in attendance, and the Chair awaits the pleasure of the Council.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Council now proceed to the election of a president for the municipal year 1938.

The question came on the passage of the order. Coun. ROSENBERG—Mr. President, I would move to postpone action on the election of a president for 1938, on account of the absence of Councilors Hutchinson and Fish, Councilor Fish being in the City Hospital, until the next meeting.

Coun. NORTON—Mr. President, the fact that there unfortunately happen to be two men absent

at this time should not cause the postponement of the election of a president and the organization of the body. There have been elections in past years when certain members were not present.

Coun. DOWD—Mr. President, I don't think that motion should prevail. Certainly, our duty to the citizens of Boston, requiring the organization of our body, should not permit the election of a president to be postponed. I hope, therefore, that the motion of the councilor from Ward 14 will not prevail.

The motion to postpone was declared lost.

Coun. WILSON—Mr. Chairman, I will ask for a roll call on that motion.

Chairman SHATTUCK—The clerk will call the roll on the question of postponement.

The clerk called the roll, and the motion to postpone the election of a president until the next meeting was lost, yeas 3, nays 17:

Yeas—Coun. Chase, Rosenberg, Wilson—3.

Nays—Coun. Agnew, Carey, Dowd, Englert, Fitzgerald, Galvin, Harris, Irwin, Kelly, Kerrigan, Lyons, George A. Murray, Peter A. Murray, Norton, Shattuck, Sullivan, Taylor—17.

The order offered by Coun. Murray was passed.

Chairman SHATTUCK—The clerk will call the roll and each member will rise and announce his choice as president.

(Before the calling of the roll Coun. Hutchinson entered the chamber.)

The clerk called the roll and the members responded, as follows:

For John E. Kerrigan: Coun. Agnew, Carey, Dowd, Englert, Fitzgerald, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, George A. Murray, Peter A. Murray, Norton, Shattuck, Sullivan, Taylor—17.

For Robert Gardiner Wilson, Jr.: Coun. Chase, Lyons, Rosenberg, Wilson—4.

Chairman SHATTUCK—Councilor Kerrigan has received 17 votes and Councilor Wilson 4 votes, and Councilor Kerrigan is elected President of the City Council. (Applause.)

Coun. WILSON—Mr. Chairman, I wish at this time to express my deep gratitude to the members of the new Council who found it possible to honor the ward I have represented for ten years by casting a ballot for my name as president of the body, regardless of narrow prejudices, political or otherwise. I am sure that the entire membership of the Council will welcome the opportunity at this time to vote with me on the motion I now make, that the election of our new President, a splendid young man and a credit to the new administration, be made unanimous. (Applause.)

The motion to make Coun. Kerrigan's election unanimous was carried.

Chairman SHATTUCK appointed Coun. Sullivan and Irwin a committee to escort the new President to the chair, which duty they performed amid applause.

President KERRIGAN—Gentlemen of the Council, I want to take this opportunity to thank each and every one of you sincerely for the very high honor you have conferred upon me. I hope that I will be a credit to you and to the administration for the next year. I also wish to thank Gardiner Wilson for his very splendid motion to make the vote unanimous. I thank you all very much. (Applause.)

LOAN IN ANTICIPATION OF REVENUE.

The following was received:

City of Boston,
Office of the Mayor, January 3, 1938.

To the City Council.
Gentlemen,—I am in receipt of the attached communication from the City Auditor. In accordance with the recommendation contained therein I submit an order providing for the issuance in anticipation of the revenue receipts of the year 1938 of temporary notes in an amount not to exceed \$45,000,000. I respectfully recommend consideration and adoption of this order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, January 3, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—It is customary to submit to the City Council at its first meeting in the new year

an order authorizing the issuance as needed during the year of temporary loans in anticipation of revenue receipts. During the last three years the maximum amount of temporary borrowing authorized by the Council has been \$45,000,000. I respectfully recommend that an order in this amount be submitted to the City Council for consideration and adoption.

Respectfully,
CHARLES J. FOX, City Auditor.

Ordered, That to provide temporarily money to meet the appropriations for the financial year 1938, the City Treasurer be, and hereby is, authorized to issue and sell, at such times and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding \$45,000,000 in the total, in anticipation of the revenue of the financial 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 Treasurer and the Mayor may determine. The said City Treasurer is hereby further authorized to renew or refund any such notes issued for a shorter period than one year, under the provisions of section 17 of chapter 44 of the General Laws.

Coun. PETER A. MURRAY—Mr. President, I move a suspension of the rule and the passage of the order today.

The rule was suspended and the order was passed, yeas 21, nays 0, all the members present (Coun. Fish being absent) voting yea.

TEMPORARY RULES.

Coun. AGNEW offered the following:

Ordered, That the rules of the City Council of 1937, except Rules 13, 24 and 35, be adopted as the rules of this body until permanent rules are adopted.

Passed under suspension of the rule.

Coun. WILSON offered the following:

Ordered, That a committee of five members of the City Council be appointed to prepare and report rules for the proceedings of the City Council.

Passed.

REFERENCE OF UNFINISHED BUSINESS.

Coun. ROSENBERG offered the following:

Ordered, That all matters referred to this City Council by the City Council of 1937 be referred to the appropriate committees of this body, when appointed.

Passed.

RADIOS AT CITY HOSPITAL.

Coun. KELLY offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to provide for the installation of one radio in each sun-parlor on each floor of the new John J. Dowling Surgical Building for the enjoyment of the convalescent surgical patients.

Passed under suspension of the rule.

BOYCOTT OF JAPANESE GOODS.

Coun. KELLY offered the following:

Ordered, That the Superintendent of Supplies be requested, through his Honor the Mayor, not to purchase any goods or materials for the city which were made in Japan.

Passed under suspension of the rule.

Coun. KELLY offered the following:

Coun. Kelly offered the following:
Resolved, That the Boston City Council hereby places itself on record as opposed to the purchase of any goods made in Japan and suggests to the citizens of Boston that they boycott Japan-made and buy American goods.

Referred to Committee on Rules when appointed.

STATEMENT BY COUNCILOR NORTON.

Coun. NORTON—Mr. President, I ask unanimous consent to make a statement. I trust that the element known today in politics as partisanship will be more or less eliminated in the election of presidents of our body in the future. We have had some evidence of partisanship here today. I admit that I am not honest enough, that I am too much of a coward, to vote for the man who sits alongside of me (Coun. Wilson), whom I know as an able and competent man, as President, because he happens to belong to some other political party. I hope the day will come when members of this body, regardless of politics, will vote for such men as Councilors Wilson or Shattuck. When we have such a man as Councilor Shattuck, for instance, who is treasurer of Harvard University, it would be well for us to recognize his presence with us in such a way.

I trust that the harmony and friendship that we have seen demonstrated in our inaugural proceedings this morning will lead to the gradual obliteration of partisanship, so that we may elect a president of our body regardless of political lines.

Coun. WILSON—Mr. President, I appreciate very much what the councilor from Hyde Park has said. I am glad to state that the people of the ward I represent, regardless of partisanship, have continued to send me to this body to represent them, and I was very glad to see that in the last election citizens of Boston, irrespective of party lines or other considerations, made possible the election of our present Mayor.

Adjourned at 12.38 p. m., on motion of Coun. FITZGERALD, to meet on Monday, January 10, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 10, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Fish and Wilson.

JURORS DRAWN.

Jurors were drawn in the manner presented by law, Coun. TAYLOR presiding at the box in the absence of the Mayor, as follows:

Eighty-one traverse jurors, Superior Criminal Court, to appear February 7, 1938:

Cornelius Henderson, Ward 1; Arthur A. Leman, Ward 1; William H. Power, Ward 1; Timothy Doherty, Ward 2; Louis H. Fehlan, Ward 2; Francis P. Guilfoyle, Ward 2; Bartholomew Mahoney, Ward 2; Frederick N. McCarthy, Ward 3; Thomas C. Norris, Ward 3; Samuel G. Church, Ward 4; Vincent F. Moore, Ward 4; John W. Dunlop, Ward 5; William Arthur Dupree, Ward 5; Richard M. Dyett, Ward 5; Israel Fiering, Ward 5; Fred L. Fletcher, Ward 5; Richard Hills, Ward 5; Harold H. Parker, Ward 5; Roland C. Peterson, Ward 6; William Francis Roust, Ward 6; Francis P. Burke, Ward 7; James J. Delaney, Ward 7; John A. Grant, Ward 8; George W. Jackman, Ward 8; Joseph F. Downey, Ward 9; William F. Dunlop, Ward 9; Warren L. Moulton, Ward 9; Ralph W. Roberts, Ward 9; Frank Fox, Ward 10; Theodore A. Miller, Ward 10; Rudolph A. Trahan, Ward 10; Joseph Hutchins, Ward 11; Thomas F. Lally, Ward 11; Fred T. Vincent, Ward 11; Gustaf J. Westberg, Ward 11; John N. Cutter, Ward 12; George Thomas Lewis, Ward 12; Frank R. Murphy, Ward 12; John W. Noisieux, Ward 12; Michael J. O'Brien, Jr., Ward 12; Martin J. McDonough, Ward 13; Francis J. Gavin, Ward 14; Abraham M. Green, Ward 14; Harry Kohn, Ward 14; Fisher Milgroom, Ward 14; Herbert C. W. Olson, Ward 14; George J. Phillips, Ward 14; Herbert L. Engley, Ward 15; Joseph J. O'Brien, Ward 15; Samuel F. Archer, Ward 16; James H. Cannon, Ward 16; George C. Eaton, Ward 16; Paul J. Robison, Ward 16; Richard C. Volz, Ward 16; John A. Bracken, Ward 17; Harry A. Brigham, Ward 17; Anthony C. Carpenter, Ward 17; Oliver F. Davenport, Ward 17; Arthur E. Foster, Ward 17; John A. Lindholm, Ward 17; Clarence V. Pursell, Ward 17; Michael J. Quinn, Ward 17; Dawson A. Wamback, Ward 17; Rufus P. Browne, Ward 18; James L. Burke, Ward 18; Karl D. Godfrey, Ward 18; Thomas J. Hayes, Ward 18; Michael J. O'Donnell, Ward 18; Timothy P. Sullivan, Ward 18; Thomas C. Donegan, Ward 19; William L. Clayton, Ward 20; Harry Alfred Hamacher, Ward 20; Edward L. Houghton, Ward 20; Royal S. Howe, Ward 20; Willie Charles MacDermid, Ward 20; Guy C. Page, Ward 20; Patrick F. Donahue, Ward 21; Joseph E. Jacobs, Ward 21; Ralph L. Mitchell, Ward 21; Norman H. Watts, Ward 21; Francis J. White, Ward 22.

Ninety traverse jurors, Superior Civil Court, January Sitting, to appear February 7, 1938:

Frank J. Ahern, Ward 1; William E. Kincade, Ward 1; Elmer A. King, Ward 1; Laurence G. Lamplough, Ward 1; James M. Sullivan, Ward 1; Joseph P. Doherty, Ward 2; James H. Green, Ward 2; Thomas Hoey, Ward 2; William J. Kelley, Ward 2; John J. Lynch, Ward 2; Joseph Miller, Ward 3; James Sullivan, Ward 3; Francis J. Barclay, Ward 4; Rhodes Lockwood, Ward 4; Frederick W. Hopkins, Ward 5; John F. Baczek, Ward 6; William J. Bayers, Ward 7; Owen J. Curley, Ward 7; Martin C. Fitzpatrick, Ward 7; Ralph E. Harris, Ward 7; William J. Henchey, Ward 7; Francis P. Moynihan, Ward 7; William P. Barden, Ward 8; James F. McQuade, Ward 8; John J. Mitchell, Ward 8; Francis W. Curran, Ward 9; Charles Bouchard, Ward 9; Albert A. Devlin, Ward 9; Charles E. Yates, Ward 9; Charles E. Daly, Ward 10; Philip Sullivan, Ward 10; Patrick J. Kelleher, Ward 11; Otto Kohl, Ward 11;

John McAlister, Ward 11; William F. O'Donnell, Ward 11; William R. Turnbull, Ward 11; James C. Murphy, Ward 12; George W. Todd, Ward 12; James S. Cavanagh, Ward 13; Thomas F. Feeney, Ward 13; Patrick J. McDonough, Ward 13; James B. Driscoll, Ward 14; Harry Klein, Ward 14; Herbert W. Bancroft, Ward 15; Eugene T. O'Keefe, Ward 15; Walter R. Thomas, Ward 15; Joseph O. Anderson, Ward 16; George H. Burrows, Ward 16; George J. Currie, Ward 16; Frederick J. Jones, Ward 16; Ernest H. Landberg, Ward 16; Patrick J. Norton, Ward 16; Thomas W. Quigley, Ward 16; Joseph F. Connolly, Ward 17; Ralph M. Crichton, Ward 17; Herbert H. Hughes, Ward 17; John V. Lee, Ward 17; Clarence A. Logren, Ward 17; James H. McMullen, Ward 17; Jeremiah J. Reardon, Ward 17; Edward J. Wynne, Ward 17; Frank A. Grottenpick, Ward 18; James T. Kane, Ward 18; William A. Morely, Ward 18; Clarence W. O'Brien, Ward 18; George B. Solomon, Ward 18; Albert E. Woodman, Ward 18; Karl H. Burow, Ward 19; George W. B. Hartwell, Ward 19; Mark H. King, Ward 19; Stephen J. Mikita, Ward 19; Arnold A. Shaw, Ward 19; Thomas Ashcroft, Ward 20; Frederick W. Fallor, Ward 20; Charles J. Franz, Ward 20; Asa K. Hailey, Ward 20; Arthur L. Lingquist, Ward 20; Reginald F. Sherry, Ward 20; Jacob B. Basch, Ward 21; Herbert O. Harding, Ward 21; Henry T. Hannon, Ward 21; Lyman W. Harrington, Ward 21; William E. Ryan, Ward 21; James V. Atkinson, Ward 22; Joseph W. Cook, Ward 22; Bartholomew J. Griffin, Ward 22; Fred C. Homan, Ward 22; Raymond E. McCarron, Ward 22; Augustine McGovern, Jr., Ward 22; John P. MacLeod, Ward 22.

COMMITTEE ON RULES.

President KERRIGAN announced the Committee on Rules, as follows: Coun. G. A. Murray, Shattuck, Down, Wilson, Hutchinson.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Coal: James Coldiron, 28 Princeton street, East Boston, Mass.; Harold Johnson, 36 Concor street, East Boston, Mass.; Edward Hawkins, 133 Endicott avenue, Beachmont, Mass.; Richard Roundberg, 2049 Columbus avenue, Boston, Mass.

Constable for term ending April 30, 1938, without power to serve civil process and to serve without bond: Earle F. Wickes, 14 Rosedale street, Ward 17.

Severally laid over a week under the law.

APPROPRIATION FOR MOSQUITO CONTROL.

The following was received:

City of Boston,
Office of the Mayor, January 8, 1938.
To the City Council.

Gentlemen,—The State Reclamation Board has notified the city that, acting under the provisions of section 4 of chapter 112 of the Acts of 1931, it has estimated and certified that \$300 is the sum of money necessary to properly maintain during the ensuing year the Mosquito Control Works constructed by the City of Boston under the said act. In order to provide for the payment of this amount by the city, I submit the attached order and respectfully recommend its adoption by your Honorable Body.

Respectfully yours,
MAURICE J. TOBIN, Mayor.

*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 Contingent Fund, when made.

President KERRIGAN—If there is no objection, the Chair will put the question on the passage of the order.

The order was passed, yeas 16, nays 0.

REPAIR OF WARREN BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, January 10, 1938.
To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works in which he requests that an appropriation be immediately made available to meet expenses to be incurred during the current year in the repairing of Warren Bridge. The commissioner's recommendation is based upon the fact that prior to the passage of the budget city departments are limited in their total expenditures to one third of their appropriations for the previous year. Payment of the bills for repairing Warren Bridge within this limit would materially reduce the amount which the Public Works Department may expend for ordinary departmental requirements. Since the major portion of the expenditures of this department in the early months of the year is for pay rolls, any material reduction in the amount which the department is now authorized to spend in anticipation of the passage of the budget would undoubtedly result in holding up the regular pay rolls of the department. Because of the large number of employees involved, I feel it is necessary that action be taken to protect their interest and welfare.

I accordingly submit herewith an order providing for the appropriation of \$100,000 to defray the cost of repairing Warren Bridge, and I respectfully recommend the adoption of this order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
January 8, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I respectfully call the attention of your Honor to the very dangerous condition at present existing on Warren Bridge, connecting Charlestown and the City Proper. Due to the unsafe state of this very old structure, the Public Works Department, acting in the emergency, has closed it to all vehicular traffic.

Steps should be taken immediately in the matter of repairing this bridge, which is one of the vital arteries in Boston, where the vehicle loadings crossing it are particularly heavy.

It is estimated that the cost of repairing Warren Bridge will be \$100,000, and as there are no funds available for the purpose, I recommend that your Honor present to the City Council an order for the appropriation of this amount, which will be in addition to the amount which the Public Works Department has requested in its budget estimates for the year 1938 under the item for Bridges, Repairs.

So that there may be no delay in advertising a contract for doing the work which will be required on this bridge, I have directed the Division Engineer of the Bridge and Ferry Division to proceed at once with the preparation of plans and specifications.

Yours respectfully,
E. M. RICHARDSON,
Commissioner of Public Works.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1938, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year upon the City of Boston, or the department or officers thereof, the respective sum of money specified in the table hereinafter set forth be, and the same is, hereby appropriated, to be expended for the object and purpose hereinafter stated, that the sum be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereupon apply to the taxes herein provided for.

| | |
|--------------------------------|-----------|
| Bridges, Repairs, etc. | \$100,000 |
|--------------------------------|-----------|

Referred to the Committee on Appropriations when appointed.

PETITIONS RECEIVED.

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

Claims.

Clementina H. Davis, for compensation for damage to car by snowplow.

Harold F. Fisher, for compensation for damage to car caused by an alleged defect at 526 Beacon street.

Helen Hurley, for compensation for damage to sled by Public Works Department truck.

Esther F. Luce, for compensation for injuries caused by an alleged defect in City Hall Annex.

Irving L. Mahler, for compensation for damage to car by city truck.

Helen M. Silver, for compensation for injuries caused by an alleged defect at Ruthven street and Humboldt avenue.

Emma Walker, for compensation for injuries caused by city car.

Hub Finance Company, for compensation for damage to car caused by city truck.

Frank Russo, for compensation for damage to car caused by city truck.

Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company for license to operate from Milton line to Haymarket square, on Neponset River Bridge, Blue Hill avenue, Seaver street, Columbus avenue, Stuart street, Broadway, Park square, Charles street, Chardon street and Merrimac street.

Communications were received from the following in support of petition of Eastern Massachusetts Street Railway Company petition for bus license: Mayor of Taunton, Mayor of Fall River, Taunton Chamber of Commerce, Fall River Chamber of Commerce, Fall River Central Labor Union, Manufacturers and Employers Association of Taunton.

Hart Bus Lines from Revere line to Maverick square, over William McClellan Highway to Saratoga street, Chelsea street, outgoing from Maverick square, Chelsea street, Bennington street, Swift street, William McClellan Highway.

Boston Elevated Railway, between Rowe's Wharf and junction of Atlantic avenue and State street, over Atlantic avenue.

Executive.

Mary A. Sreenan, to be paid annuity on account of death of her husband, James J. Sreenan, late member of Fire Department.

PERMIT FOR CHILDREN.

A petition was received from Rev. John Jacob Smith for children under fifteen years of age to appear at Grand Hall, Mechanics Building, January 30, 1938.

The permit was granted under usual conditions.

ELECTION OF PATRICK J. FOLEY TO SCHOOL COMMITTEE.

Notice was received from the School Committee that Patrick J. Foley, 505 East Broadway, South Boston, had been chosen to fill the vacancy in the School Committee caused by the resignation of Maurice J. Tobin.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notices were received of the following appointments by the Mayor:

William Arthur Reilly, 14 Arborway, Fire Commissioner, for term ending April 30, 1942.

John A. Breen, 30 Bay State road, Superintendent of Supplies, for term ending April 30, 1942.

Leo F. Power, 14 Oakview street, Jamaica Plain, Superintendent of Public Buildings, for term ending April 30, 1942.

Severally placed on file.

NEW ASSESSMENT DISTRICT, WARD 9.

Notice was received from the Board of Assessors of establishment of new assessment district in Ward 9.

Placed on file.

APPOINTMENT OF MARSHALL G. SMITH.

Notice was received of appointment of Marshall G. Smith, 3 North Munroe terrace, Dorchester, as food inspector in Health Department. Placed on file.

HIRING OF EQUIPMENT.

The following was received:

City of Boston,
Finance Commission, January 7, 1938.

Hon. Maurice J. Tobin,
Mayor.

Sir,—On January 4, 1938, the day after you took office, the City Hospital Department opened bids called for by advertisement made two weeks previously for contracts for the rental of equipment for the use of W. P. A. workers in W. P. A. project work at the City Hospital. The next day the Public Works Department opened bids also called for by advertisement two weeks ago for the rental of equipment for the use of W. P. A. workers on projects sponsored by that department.

As suggested to you by telephone by a representative of the commission, the Finance Commission recommends that you defer giving your permission to award contracts in these instances for the time being, and that meanwhile you give consideration to another method of obtaining the use of such equipment. This method will be herein suggested and the reasons therefor made plain. It is important now to determine upon a business-like method in this matter because projects to cost millions have recently been approved by the Federal Government, which, in execution, will require extensive use of equipment.

Though W. P. A. pay roll expense is borne by Federal grants, material and equipment for the use of W. P. A. workers is furnished at city expense. This expense goes into the tax levy.

During the Mansfield administration the city elected to hire equipment for W. P. A. work rather than to purchase it. Under this policy in the last few years the city has paid hundreds of thousands of dollars for rental of equipment to a selected group of contractors under circumstances which have caused some department officials grave concern, and have lead to serious charges to the Finance Commission involving some officials and some contracting firms. The equipment hired might have been purchased outright for a fraction of the amount paid for rental of it.

Since January 1, 1936, the city has paid a total of \$169,567.03 for the rental of compressors, welders and pumps. If the amount spent for other rentals, such as trucks, etc., were added the figures would mount to quite as much again for the same limited period. Previously, the rate of expenditure was even greater. Of the above figure for rental of the three articles of equipment mentioned, \$161,014.38 was on orders, without a contract, and \$8,552.65 was on contracts.

Until very recently none of this hiring was arranged for by contract, competitive bidding, or agreed price other than on orders. These orders were issued by the W. P. A. branch of the Supply Department and called upon contractors to furnish equipment at "so much a day," or in the case of some trucks "so much per hour." As an illustration of prices charged, the city usually

paid for equipment hired on these orders as follows:

| | |
|-----------------------------------|----------------|
| Air compressors..... | \$24 per day. |
| Air compressors, truck mounted... | 40 per day. |
| Welders..... | 30 per day. |
| Trucks..... | 3.25 per hour. |
| Pumps..... | 6.75 per day. |

The method followed of hiring, checking use of, billing and paying for equipment is now and has been since W. P. A. work began open to fraud and collusion. In some instances, charges have been made to the Finance Commission by employees of firms renting equipment that gross fraud actually occurred.

Recording of the use of the equipment was done in such a manner that today it is practically impossible for the Finance Commission to determine with exactness the truth or falsity of the charges made. Employees of a related group of contracting firms which received the largest payment for rented equipment state positively that equipment was paid for for long periods when it was not usable or not in use. This is denied by owner representatives of the contracting firms. They counter with charges of personal dishonesty on the part of the employees who made the charge. City employees involved put the responsibility on W. P. A. supervisors, but W. P. A. employees upon whose record the city depended for substantiation of bills cannot produce records which adequately disprove the charges.

Representatives of the Massachusetts Federation of Taxpayers Association are among those who have brought these charges to the attention of the Finance Commission, as well as charges that in other respects the contractors violated state laws, which another state commission is now investigating.

Orders for hiring have usually been written for short periods. When, however, a piece of equipment has been put on a job, it became impossible for the lower paid employees responsible for its supervision and use to be rid of it. The commission has been informed that occasionally subordinate employees were threatened with trouble by contractors or others if they failed to continue to authorize hire of equipment, or if they recommended discontinuance so as to take the equipment off the pay roll. In fear of such trouble, they gave in to demands to keep the hiring of equipment going.

The Finance Commission is convinced that the city has paid many thousand dollars for rental of equipment that was not needed all the time it was paid for, and often not used at all during time it was paid for. In many instances the records do not give positive assurance that the same piece of equipment may not have been charged for in more than one place at the same time.

The Finance Commission has spent many weeks investigating payments for rentals made by the city to one group of firms. Ownership or control of the firms of this group appears to be confined to members of one family. This group has had a monopoly on rental of equipment to the City Hospital Department. The Finance Commission offers the history of the transactions of this group as an illustration of the practices followed.

The total amount of business given in a period of a little over a year to this group of firms is as follows:

| | 1936. | | 1937. | | Total. |
|-----------------------------------|-------------|--------------------|--------------|--------------------|--------------|
| | Hospital. | Other Departments. | Hospital. | Other Departments. | |
| Arcand Frame and Axle Company.. | \$15,015 60 | \$927 78 | *\$24,033 62 | \$6,042 72 | *\$46,019 72 |
| Air Compressor Equipment Company. | 2,741 52 | 425 70 | 10,932 19 | 5,179 03 | 19,278 44 |
| Air Compressor and Tool Company, | 4,864 86 | ..... | 10,446 97 | 1,204 01 | 16,515 84 |
| Contractors Supply Company..... | ..... | ..... | ..... | 6,357 70 | 6,357 70 |
| | \$22,621 98 | \$1,353 48 | \$45,412 78 | \$18,783 46 | \$88,171 70 |

* This amount includes \$3,656.18 charged against a contract. Still another firm connected with this group, the Arcand Spring Company, has had payment of \$5,588.09 during the same period for other work given by the city without competitive bidding.

This exhibit shows that the four firms listed above have collected \$88,171.70 for the rental of equipment to the city in less than two years. These four firms still retain ownership of that equipment. The sum of \$68,034.76 of it was paid by the Hospital Department. Only \$3,656.18 of the whole amount was on account of a written contract.

In the bidding for the only written contract, the Arcand Frame and Axle Company was the highest of four bidders for the rental of a compressor. It is to be noted that this contract was not made until late in 1937 after approximately \$85,000 had been paid without any contract. Eventually, this concern received the award on a bid of \$4.75 per hour, when the lowest bidder offered \$3.50.

It is important to inform you of the machinations of the City Hall officials involved in this award, because they are still on the city pay roll. Bids were opened on August 10. On September 1, three weeks later, the contract was awarded with the Mayor's approval to the lowest bidder, J. J. Callahan, who immediately filed his bond with the city, and the papers were signed by both parties. The contract was delivered to Callahan and a copy placed on record at the auditor's office, the final repository of all city contracts.

Callahan waited six weeks for notice to come to him to report with his equipment, but no word came. When he visited the City Hospital to learn the reason for the delay, he found that one of the Arcand companies had been continuing the rental of its equipment, despite the award to Callahan.

On November 7, more than two months after the award to Callahan, the Callahan contract was revoked for a reason that appears plainly specious. Then with the Mayor's permission a new contract was given to Arcand. In this contract Arcand's price was 30 per cent higher than the price offered by Callahan.

In this manner the Arcand Company, despite the appearance of public bidding for the business and the original award to another bidder, continued uninterruptedly the rental of equipment to the Hospital Department which began in April, 1936.

J. J. Callahan later received an extension of his 1937 snow removal contract. Although at one time he informed the Finance Commission that he would sue the city for anything that was paid to the Arcand Company, since designation of his firm for snow removal work for 1938 by the old administration, no more has been heard of the threatened suit.

As above stated, the city has failed to install in the Hospital Department a system of recording the use of equipment that can be depended upon for purposes of checking the bills submitted. The city relied on records kept by the W. P. A. as required by Federal authorities for an entirely different purpose.

The Federal supervisor has admitted to the Finance Commission that his records are not sufficient for the city purposes, though adequate for the Federal purposes. He has objected to city authorities against reliance by them on his records, because he believes it puts upon him a responsibility without giving him authority to supervise execution of it.

It has been the practice of this supervisor to requisition simply for rental of a piece of equipment. He specified no length of time, no particular job. His requisition went to the W. P. A. branch of the Supply Department. Someone there then issued an order to the contractor for rental of the equipment for sixteen days. Why sixteen days was fixed as the length of time, the Federal supervisor did not know. At the expiration of one period of sixteen days, there was always another requisition and then another order for sixteen days more.

It is plain to the Finance Commission that each order was limited to sixteen days because payment for sixteen days would be well under \$1,000 and therefore would not attract attention. Very frequently when the new requisition went out, it would be written to another firm of the same group.

The Finance Commission has made a chart of the days paid for to this group. This shows payment for continuous days to one or another of the firms for more than a year (Sundays and holidays

excepted). The Federal inspector states that he never noticed any change in the equipment, such as might come from the fact that different owners were renting it, and that, in fact, he never knew but one owner. He claims he can tell from the records kept by him for the Federal Government where equipment was used, but could not point out specific record of the time equipment was in use.

In one city department, instructions were given that equipment would be paid for a full day's time if use was made of it for an hour on any day. In another department there was apparently no instruction of any kind given and there was no city employee assigned to make any check of any kind.

Since adequate record was not kept of the exact time the equipment was used, it is not now possible to determine whether one piece or four of the same kind of equipment was actually needed. This group, through one company or another, always had four compressors and four electric welders on the pay roll.

For the rental by the Hospital Department of just these eight pieces of equipment, the Hospital Department has paid \$62,640.75 in less than two years. If the city had bought that equipment it could have been purchased for approximately \$16,000. In the event of such purchase, the W. P. A. would have provided operators, and thus that expense would have been saved the city.

Simply to change from hiring by continuing orders to hiring by contract would not end the abuses of 1936 and 1937. That change would not affect the recording of the use of equipment which is still open to fraud.

Conclusion.

The Finance Commission has conferred with representatives of several of the departments which hire contractors' equipment, and there is a unanimity of opinion that it is better for the city to buy equipment than to hire it.

If the city bought a certain number of units and housed them in a central place they should be available to all departments. This suggests the adoption of a policy among departments to lend equipment to each other as occasion arises, rather than the purchase or rental by one department without regard to the fact that another department owns the same type of equipment and is not using it.

There was looseness in the issuance of orders for equipment, and in the checking of the use of equipment, and lavishness in payment for it in all the departments involved, though in some departments to a greater degree than in others.

The Finance Commission hopes this factual report will impress upon you the necessity for immediate action to root out practices which are, unwarrantedly, not only costly to the taxpayers, but permit fraudulent collection of taxpayers' money.

The commission commends you for the step you have already taken to solve this problem.

Respectfully submitted,

DAVID LASKER, Chairman,
E. MARK SULLIVAN,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETTI,
The Finance Commission.

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 committees be appointed by the President, viz.:

Constables, three members.
Hospitals, five members.
Municipal Lighting, five members.
Parks and Playgrounds, five members.
Public Safety, five members.
Unclaimed Baggage, three members.
License Fees, five members.
Public Welfare, five members.
Tax Title Property, five members.

Passed.

SICK LEAVE FOR EMPLOYEES.

Coun. DOWD offered the following:

Ordered, That the trustees of the Boston City Hospital and the Superintendent of the Long Island Hospital be requested, through his Honor the Mayor, to grant fourteen days' sick leave to the employees of said institutions.

Coun. DOWD—Mr. President, before talking on that order, I want to take exception to an article that appeared in the Boston papers from one of our so-called reform organizations, who, it seems to me, might do better than devote so much of its time and attention to the lower-paid city employees,—an article which suggested to the Mayor that there are too many employees there and that \$200,000 could be saved on personnel, on those individuals working in minor positions in the City Hospital, by dropping them. I want to say to the members of that organization that they should make a thorough investigation before advocating the discharge of any low-paid city employees. I think I know the City Hospital and its employees as well as any individual. The hospital is in my district and I have occasion to be there practically every morning of the week. I can truthfully say, and I think other members of the Council will hear me out, that that is one group of employees who earn every five-cent piece that they receive, and I know that the Mayor of Boston, when he comes to look into the matter, will arrive at the same conclusion, and will find that the City Hospital needs every man up there. As a matter of fact, the hospital could use 100 more nurses in taking care of those who are ill. I trust, therefore, that the Mayor of Boston will not give credit to any report coming from such a source. Talking on the order, a few years ago the employees of our institutions were allowed three weeks off, in fact, in some cases thirty days in case of sickness. The time was then cut to fourteen days, and in the recent administration of Mayor Mansfield to seven days. We have here an institution that deals with all kinds of communicable diseases, and they are continually subject to infection. If infected they may be incapacitated for three months, and their salaries stopped. I say it is not fair. There is not an institution of the kind in the entire country that does not allow its employees at least fourteen days' sick leave. The Committee on Hospitals last year waited on the trustees and tried to have the situation remedied, but evidently the Mayor was opposed and nothing was done. I think the present Mayor of Boston has an understanding of the common people, and I think he will readily see why these employees, continually subject to contacts of this kind, where they might be laid off for three or four weeks because of various diseases, should be given a reasonable time off and should be paid for their services. The loss of even one week's pay in the case of many of the employees of the City Hospital is a very serious matter, and there are especial hazards to which employees in such institutions are subject. I hope the Mayor of Boston will, when he gets time to look into the matter, agree with other Mayors of the past that fourteen days' sick leave is little enough. As I say, in the early days, at times thirty days' sick leave was allowed, which was later reduced to fourteen days, and which under Mayor Mansfield was cut to seven days. I would like to have this matter referred to the Committee on Hospitals when appointed.

The order was referred to the Committee on Hospitals when appointed.

CONTROL OF BOSTON ELEVATED.

Coun. DOWD offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prepare proper legislation to present to the incoming Legislature whereby the state will assume control of the Boston Elevated Railroad and make such laws that will exempt further deficiencies on the City of Boston.

Coun. DOWD—Mr. President, we in Boston were all very much pleased to hear our present Mayor, when addressing the Chamber of Commerce and speaking to the Governor of the Commonwealth, state that he was of the opinion that some of the expenses of the city, expenses which really concern other sections of the state and cover a wide area, should be taken off the shoulders of the

City of Boston. We have here a situation that we all know about, that of the Boston Elevated. There have been attempts to do something with the Elevated situation, during the last ten or twelve years, but nothing has yet been done, and the deficits that are charged to Boston and other communities, particularly against Boston, have been continually rising. We know that our Mayor is in sympathy with the Governor of the Commonwealth in the desire to have something done which will remedy the present situation. The Boston Elevated Railway Company was operated for twenty-one years, from 1897 to 1918, with five-cent fares and paid its bills. The total number of passengers carried was 5,962,889,426, the yearly average of passengers carried being 283,947,115. The Boston Elevated, operated at a five-cent fare, received a total income of \$308,285,900.17, or a yearly average of \$14,680,280.98. Thereafter the trustees operated the railway for eighteen years, from 1918 to 1936, with ten-cent fares, and not only did not pay its bills, but accumulated a net deficit of \$13,174,481.99. The total number of passengers carried was 6,182,249,351. The yearly average of passengers carried was 343,458,297. The total income received was \$550,481,411.25, almost double the amount received under the five-cent fare, and still we find deficits every year until it has got so bad that in the last six years alone the taxpayers of Boston have paid out—in 1932, \$1,178,409.53; in 1933, \$1,787,289.65; in 1934, \$1,029,342.48; in 1935, \$953,230.85; in 1936, \$1,402,303.82; and in 1937, \$1,223,950.75. What is going to be the outcome so far as the City of Boston is concerned? It may seem peculiar, but it is a fact that Boston paid over 66 per cent in 1934, while Milton paid but seven-tenths of 1 per cent. That sort of thing is due in part to the inflated wages paid to some of those gentlemen operating the Elevated System. Is there any way in which the City of Boston can get out of this dilemma while the trustees are running the road in such an expensive manner and are guaranteeing to the stockholders of the road under the present system 5 per cent on their money? I say that the Governor in his inaugural address struck a keynote and that Mayor Tohin also struck the same keynote, in saying that the time has come when a change must be made and that steps must be taken at once to take over this road. It is time that the stockholders of the road should be placed in the same position as stockholders in other companies. The Commonwealth of Massachusetts should take over the Boston Elevated Railway. If money is made on it the stockholders should be paid; but if not, they should not be paid. There is no logical reason why Boston should pay 66 or 67 per cent of the total deficit of the Boston Elevated. I submit to you, Mr. President, and members of the Council that something is radically wrong. For years the Elevated operated on a five-cent fare and made money, but when the state took it over and said, "Gentlemen, regardless of the income of the road we will guarantee to your stockholders a 5 per cent dividend," from that time on the road has lost money and Boston alone has paid out for deficits the staggering amount of \$18,000,000-odd. That condition should and must stop, and it is now up to the Legislature to see that Boston gets a square deal and a fair break. I know that the members of the Council feel as I do, and that we will all say to the Mayor, "We are solidly behind you in your efforts to make the State of Massachusetts give a fair deal to Boston in the matter of our Elevated assessment." I hope that the Governor and the Legislature will go through, and that steps will immediately be taken to straighten out this Boston Elevated Railway situation.

The order was passed.

ABATEMENTS OVER \$50,000.

Coun. DOWD offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to submit to the City Council a list of those individuals who during the year 1937 received abatement of \$50,000 or over on their property.

Coun. DOWD—Mr. President, when a Mayor is in office it is almost impossible at times to get desired information, but when he goes out the old rotten apples begin to show up. We have heard a lot of talk from the so-called reformers

about comparatively minor matters, but we don't hear about the tax abatement racketeers. I think the Mayor stated very clearly in his inaugural address that he intends to keep his promise to cut out the tax abatement racketeers. I have been very anxious in attempting, but have not been able to do so in the last four years, to get help in the matter of abatements for poor people who were unable to pay their taxes, but in the meantime large concerns and wealthy individuals have been able to get abatements during that time of large amounts, up to at times \$60,000. There are those who contend that during the last eight years over one hundred and ten million dollars of reductions in valuations have been granted to those individuals who were well able to pay, while on the other hand, poor individuals in West Roxbury, Roxbury, Dorchester, Brighton and other sections have not been able to get a five-cent piece off their property assessment. Yet, as I say, large individuals and concerns have been able to get abatements amounting to \$60,000, \$30,000, \$20,000, and so on, when they were well able to pay to the city the entire amount of the assessment. Just because we are in a period of depression is no excuse for these concerns and individuals able to hire first-class attorneys to get such enormous abatements, while the poor devils all over our city are unable to get a cent off. In this last year millions in abatements were given to these people who could well afford to pay. Therefore, I am anxious to find out, through the Mayor and the Board of Assessors, just what abatements were given to such people during the year 1937.

The order was passed under suspension of the rule.

MAINTENANCE OF EAST BOSTON TUNNEL.

Coun. DOWD offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prepare proper legislation to be presented to the incoming Legislature which will take care of the maintenance of the East Boston Tunnel out of the so-called Gasoline Revenue.

Coun. DOWD—Mr. President, we realize that the East Boston Tunnel will probably never pay in service it gives to Boston residents the amount that it costs the city because, as a matter of fact, the service it gives is practically state-wide and, as far as use by the citizens of Boston is concerned, probably those south of Dover street seldom use it. It is a fact, however, that traffic from all over the state does use the tunnel, although we pay for it. Furthermore, we find that the state is collecting millions from the so-called gasoline tax, from which, as the Mayor well said, we are not getting our fair share. On account of the widespread use of the East Boston Tunnel there is no reason why the state should not from that gasoline tax give us a lift on the East Boston Tunnel because, after all, it is used for the benefit of the people of the entire state. The state should, at least, be willing to divide the necessary cost of the yearly maintenance of the East Boston Tunnel.

The order was passed under suspension of the rule.

AGE LIMIT OF POLICE DEPARTMENT APPLICANTS.

Coun. DOWD offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prepare legislation to drop the age limit of applicants taking the examination for the Police Department from twenty-five to twenty-two.

Coun. DOWD—Mr. President, under the workings of our civil service list no man can take the examination for police officer of the City of Boston until he has reached the age of twenty-five years. I have checked up with other large cities on this matter, and find out that individuals who have attained the age of twenty-one or twenty-two are considered as assuming full citizenship and are eligible for such examination. I think we should allow our youth the same privilege that is extended to them in other places in this respect, because I contend that when a man has reached the age of twenty-one or twenty-two he is fully developed and is capable of taking the examination and performing the duties re-

quired of the service. There is no reason why our young men should have to wait until they are twenty-five years of age before they can take the examination. I therefore ask that the Corporation Counsel be requested to petition the Legislature for a change in the law whereby the age of twenty-two, say, can be considered as a proper age for application for examination for and membership in that department.

The order was passed under suspension of the rule.

LOAN IN ANTICIPATION OF TAXES.

Coun. PETER A. MURRAY 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 1938, the City Treasurer be, and hereby is, authorized to 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 \$45,000,000 in the total, in anticipation of the revenue of the financial 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 Treasurer and the Mayor may determine. The said City Treasurer is hereby further authorized to renew or refund any such notes issued for a shorter period than one year, under the provisions of section 17 of chapter 44 of the General Laws.

On January 3, 1938, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

MUNICIPAL REGISTER, ETC.

Coun. HARRIS 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.

PAID OFFICIALS AND EMPLOYEES.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council as to the number of paid officials and employees of the City of Boston and the County of Suffolk on January 1, 1938, such list being so prepared as to be comparable with the summary tabulation at the end of Document 77 of 1937, showing such information as of June 1, 1937, and prior years.

Coun. SHATTUCK—Mr. President, in the city document referred to, on the last two pages, there is a summary showing the number of city employees, virtually by departments, for the last ten years, those figures being as of June 1. It appears from what we have read in the papers lately and from what we have heard that there have been a good many changes since June 1. With the new Mayor it would seem desirable to have this information brought up to date, showing how we stand at the beginning of his administration. This order does not call for the reprinting of that large, voluminous document, but merely for a summary giving the numbers in each department, not the names, taking about two pages. I move a suspension of the rule.

The order was passed under suspension of the rule.

PAYMENT TO MOTHER OF JOHN MADDEN.

Coun. LYONS offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the payment of a sum of money to the mother of John Madden, whose death occurred on April 21, 1934, from injuries received while a prisoner at Station 10 of the Boston Police Department; provided that said legislation includes a referendum to the Mayor and City Council.

Passed.

BRIGHAM CIRCLE, WARD 10.

Coun. CAREY offered the following:
 Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to arrange for the installation of automatic traffic signals at Brigham Circle, Ward 10.

Ordered, That the Mayor be requested to take up with the proper Federal authorities the matter of extending the Huntington Avenue Subway to Brigham Circle, Ward 10.

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect a large board sign at Brigham Circle, Ward 10, directing motorists to Providence and other points outside of Boston.
 Severally passed under suspension of the rule.

SUBSTITUTION OF BUSES BY ELEVATED.

Coun. CAREY offered the following:
 Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, not to substitute buses for the present surface cars on the Allston-Dudley Street line until such time as an opportunity is afforded to ascertain the sentiment of the people using this line.
 Passed under suspension of the rule.

PAYMENT OF ANNUITY TO THOMAS E. GOGGIN.

Coun. GEORGE A. MURRAY and KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby approves the enactment of legislation for the payment of an annuity of \$1,000 to Thomas E. Goggin, formerly an employee of the City of Boston and County of Suffolk, and an annuity of \$200 to minor child, because of injuries in the course of the employment of the said Thomas E. Goggin, provided that such legislation includes a referendum to the Mayor and the City Council.
 Passed under suspension of the rule.

SIDEWALK ON STANWOOD STREET.

Coun. ROSENBERG offered the following:
 Ordered, That the Commissioner of Public Works make a sidewalk along Stanwood street, from Blue Hill avenue up to and including 37 Stanwood street, Ward 14, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic pavement, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.
 Passed under suspension of the rule.

NEW RAILROAD BRIDGE, WARD 14.

Coun. ROSENBERG offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to consider the advisability of replacing the present bridge over the tracks of the New York, New Haven & Hartford Railroad on Harvard street, between Norwell and Greenwood streets, Ward 14, with a modern up-to-date structure.
 Coun. ROSENBERG—Mr. President, I have presented this order for the replacement of the present bridge on Harvard street, between Norwell and Greenwood streets, Dorchester, running over the railroad tracks of the New York, New Haven & Hartford road, due to the fact that numerous accidents are occurring there almost daily. The present bridge is of old type construction, with an ordinary railing which automobiles are constantly running up against and colliding with. School children attending the schools in the vicinity constantly have their lives endangered. Many men in the immediate section have called my attention to the menace which is caused by the bridge. Harvard street is a very busy thoroughfare going through to Blue Hill avenue and the Mattapan section, and, of course, the great amount of traffic there increases the menace. In view of

the number and frequency of the accidents, I am urging that the Commissioner of Public Works, acting under the Mayor, consider the advisability of taking down and replacing the bridge with one perhaps somewhat similar to the bridge, with which many are familiar, in the South End of Boston, near Shawmut avenue; Corning and Castle streets, which in the past was also the scene of numerous accidents until replaced by the present bridge, of modern construction. The bridge now there has eliminated the numerous accidents that formerly occurred. I trust, now that it is called to the attention of his Honor the Mayor, that something will be done about it in the interest of the walking public and the motorists.
 The order was passed under suspension of the rule.

REINSTATEMENT OF PATRICK J. O'ROURKE.

Coun. IRWIN offered the following:
 Resolved, That the City Council of Boston hereby approves the enactment of legislation for reinstatement of Patrick J. O'Rourke, of 421 Meridian street, East Boston, to his former standing in the Boston Police Department, provided that such legislation includes a referendum to the Mayor and the City Council.
 Coun. SHATTUCK—Mr. President, I wonder if the gentleman will explain the reason why this reinstatement should take place. I recall, in the years when I was in the Legislature, that we had a good many requests of this kind, some with and some without merit. I think we ought to know something about such matters before we take action.
 Coun. IRWIN—Mr. President, charges were brought against this man that were never proven, and now the only way in which he can be reinstated is through an act of the Legislature. But, in order for the Legislature to act, it is required, as a matter of courtesy, that an order of the Council shall accompany the bill. This Council cannot put him back, but the Legislature can do so by act. By passing this order we simply give our approval to such action.
 Coun. SHATTUCK—Mr. President, the point I want to make is that too frequently the buck is passed to the Legislature. As a matter of fact, if we pass the order, we say in effect that we have looked into the case and that the man should be reinstated, and that is the interpretation that the Legislature puts on our action. I suppose the gentleman who has offered the order can, at least, give us some information that would justify us in taking action.
 The rule was suspended and the order was passed.

AID TO SOLDIERS AND SAILORS.

Coun. IRWIN offered an order providing for payment of aid to soldiers and sailors and their families residing in the City of Boston for months of December, 1937, and January, 1938, and same was passed under suspension of the rule.

PENSIONING OF PATRICK J. GARRITY.

Coun. PETER A. MURRAY, ENGLERT and KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing the pensioning of Patrick J. Garrity, a member of the Police Department, who was injured in the performance of his duties, in January, 1937, on an annual pension equal to the salary received by him during the last year of his active service, provided that such legislation includes a referendum to the Mayor and the City Council.
 Passed under suspension of the rule.

PENSIONING OF JOHN H. FISHER.

Coun. PETER A. MURRAY and KERRIGAN offered the following:
 Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing the pensioning of John H. Fisher, a member of the Police Department, who was

injured in the performance of his duties, in January, 1937, on an annual pension equal to the salary received by him during the last year of his active service, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

RELOCATION OF HEALTH DEPARTMENT DIVISIONS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of having a study made relative to the advisability of having certain divisions of the Health Department relocated.

Coun. NORTON—Mr. President, I understand that at the present time in the Boston City Hall Annex they have a sort of menagerie in the Health Department, where they inoculate animals for various diseases, and I feel that there might be a threat to individuals coming to City Hall and riding in the elevators. We have hundreds going up and down in the elevators and walking through the corridors who might be endangered. I don't think that is the proper place to carry on work of this sort.

The order was passed under suspension of the rule.

LOW COST MILK.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of having a study made relative to the distribution of low-cost milk in Boston.

Coun. NORTON—Mr. President, if other cities can arrange to sell milk for eight cents a quart in certain designated sections—and New York City has done it for some time—I see no reason why Boston should not supply at low cost the most important element in the food budget of the poor.

The order was passed under suspension of the rule.

BETTER BUS SERVICE.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of requesting the officials of the Boston Elevated Railway to make a study of the advisability of furnishing better bus service to various parts of Boston.

Passed under suspension of the rule.

PREFERENCE IN RE-EMPLOYMENT TO FORMER EMPLOYEES.

Coun. NORTON offered the following:

Ordered, That the Mayor consider the advisability of having a study made relative to giving preference in re-employment to old city employees let go in the previous administration.

Coun. NORTON—Mr. President, this is the usual order that I have now introduced here for four years. It has to do with those who were let go in the early days of the previous administration, men who had been in the employ of the city for over thirty years, for twenty-five years, who had had long terms of service, and who have never been replaced. I would like to see if it is not possible to give them preference in the matter of re-employment.

The order was passed under suspension of the rule.

USE OF W. P. A. MONEY.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of making plans to use all possible W. P. A. money in Boston.

Coun. NORTON—Mr. President, I want to see every cent, every nickel that we can obtain to spend in Boston this year, made available. I think we should make every effort to obtain all the money that it is possible to obtain. At the present time we have an army of unemployed. If you will go down to the Army Base at half-past

ten, the rush hour, you will see an army of cripples making for the Army Base, and you will see them over there at half-past four. I understand that our Welfare Department has to appropriate a certain small amount in order to receive a larger amount from the Federal Government. I believe we will find during the year many instances where the Government will cooperate with us and do the best they can, and I certainly trust that the Mayor will look carefully into this whole subject and see what can be done. We have seen in this city, especially in the suburban districts, many examples of what can be done by W. P. A. work. Some of you have seen what has been done in Hyde Park, where we have a fine playground and baseball diamond, and where other important work has been carried out, employing 300 to 600 Boston men in the last year and a half. We have a playground, the cheapest the city ever took over, costing the city under \$10,000, for which the National Government furnished \$150,000 for labor. During the coming year we should take advantage of every opportunity to bring these Federal funds to Boston.

The order was passed under suspension of the rule.

RECESS.

On motion of Coun. DOWD, the Council voted at 3.15 to take a recess of five minutes. The members were called to order by President KER-RIGAN at 3.30 p. m.

RULES OF CITY COUNCIL.

Coun. GEORGE A. MURRAY submitted report of Committee on Rules, recommending adoption of rules for the Council for the years 1938-1939, being substantially the same rules that were in effect during 1937.

The rules reported were as follows:

RULES OF THE CITY COUNCIL, 1938-39.

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 and 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 order 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 taken 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 offense 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 expenditure which involve a loan.
6. A committee on Inspection of Prisons, to consist of five members of the council.
7. A committee on Jail 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 abutors.

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 ball 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 yes 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.

TRAFFIC LIGHTS, WARD 13.

Coun. HUTCHINSON offered the following:

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

Passed under suspension of the rule.

MUNICIPAL BUILDING, CODMAN SQUARE.

Coun. PETER A. MURRAY, for Coun. Wilson, offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize the city to borrow outside the debt limit the sum of \$100,000 for the construction of a municipal building in the Codman square section of Dorchester; provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

COMMITTEES FOR 1938.

President KERRIGAN announced committees for 1938, as follows:

Executive: Coun. Wilson.
 Appropriation: Coun. Agnew, Galvin, Cbase, Dowd, Carey, Norton, Sullivan.
 Claims: Coun. Hutchinson, Chase, Rosenberg, Taylor, Agnew.
 County Accounts: Coun. Englert, Irwin, Galvin, Harris, Kelly.
 Finance: Coun. Shattuck, Irwin, Fitzgerald, G. Murray, Englert, Taylor, Kelly.
 Inspection of Prisons: Coun. Fitzgerald, Shattuck, G. Murray, Taylor, Hutchinson.
 Jitney Licenses: Coun. P. Murray, Harris, Fish, Wilson, Agnew.
 Legislative Matters: Coun. Norton, Irwin, Sbatuck, Fitzgerald, Wilson.
 Ordinances: Coun. G. Murray, P. Murray, Dowd, Carey, Sullivan, Kelly, Lyons.
 Parkman Fund: Coun. Kelly, Sbatuck, Rosenberg, Norton, Lyons.
 Printing: Coun. Sullivan, Galvin, Taylor, Harris, Lyons.
 Public Lands: Coun. Fitzgerald, Galvin, Harris, Englert, Agnew.
 Rules: Coun. G. Murray, Shattuck, Dowd, Wilson, Hutchinson.
 Soldiers' Relief: Coun. Irwin, Englert, Kelly, Fish, Harris.
 Constables: Coun. Agnew, G. Murray, Taylor.
 Hospitals: Coun. Dowd, Harris, Carey, Kelly, P. Murray.

Municipal Lighting: Coun. Carey, Chase, Lyons, P. Murray, Norton.

Parks and Playgrounds: Coun. Harris, Hutchinson, Rosenberg, Lyons, Sullivan.

Public Safety: Coun. Taylor, Cbase, Hutchinson, Fish, Wilson, Norton, Sullivan.

Unclaimed Baggage: Coun. Dowd, Carey, Taylor.

License Fees: Coun. Galvin, Hutchinson, Fish, Chase, Sullivan.

Public Welfare: Coun. Fish, Galvin, Dowd, Wilson, Rosenberg.

Tax Title Property: Coun. G. Murray, Rosenberg, Fish, Sullivan, Englert.

BETTER TRANSPORTATION FACILITIES,
NEWTON LINE.

Couns. AGNEW and SULLIVAN offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to establish better transportation facilities on the Newton, Brighton and Watertown car line.

Coun. AGNEW—Mr. President, supplementing what Councilor Dowd has already said about the taxpayers of Boston standing the greater share of the Elevated deficit yearly, I think it is about time that the officials of the Elevated Company recognize some of the growing districts in Boston. It is safe to say that the Brighton district in the past decade has grown as much as or more than any other section of Boston. Still, the officials of the Elevated Railway have failed to recognize that fact in the transportation facilities afforded. At the present time it is almost impossible to get a seat on a Newton, Brighton and Watertown car, while at the same time any of the buses out that way are jammed, packed full. I hope that the Elevated Trustees will recognize this condition and give the residents of that particular district some relief.

Coun. SULLIVAN—Mr. President, it is practically impossible for any citizen of our district to obtain a seat on this "Toonerville Trolley" line passing from Kenmore square to Oak square along one of the main highways in our section. There are absolutely no seats, unless one happens to get on the line where it starts. Then, there is absolutely inadequate bus service from Central square to Brighton center, a service that does not at all recognize the demands that such a population as we have out there would naturally make upon it. There are nothing like enough buses, with the result that during the rush hours

they run express from Central square to Market street. In other words, the service in our section is a disgrace to any community in metropolitan Boston. The buses run express simply because there are not enough of them to furnish the necessary service. Therefore, they fill up and go right along. I don't suppose it was the intention of the trustees that it should be an express service, but it necessarily becomes so because not enough buses are provided. I think there should be more buses on that line. The street car service in Wards 21 and 22 is a matter of deep concern to the councilors from those districts. I may say that that situation may probably be the cause of my being here, because many of the citizens felt that the man who preceded me, whether their feeling was justified or not, might have done something to improve the terrible street car and bus service in the district. Both Councilor Agnew and myself are beartily in favor of the passage of this order.

Coun. NORTON—Mr. President, I had an order along somewhat similar lines, concerning the section I come from. Boston contains forty-four square miles, a comparatively small area, and yet there are sections of the suburban wards, especially in the ward where I come from, where people have to walk half a mile or even a mile to the nearest Boston Elevated bus or street car. Attention should be particularly paid to the Corriganville and Fairmount sections of Hyde Park. I maintain that it should be possible to work more bus lines to give service in sections where service is now almost inaccessible. There is no question about the success of private bus lines in this city. We have seen them in operation here for twenty-five years, apparently successfully. I might particularly instance in that connection the Rawding Bus Line. The Boston Elevated has been given power under legislative act to service the city and, as Councilor Dowd has pointed out, over a certain period of years it has collected \$18,000,000 from our citizens. It has been running at a deficit, while private bus lines in our city seem to have prospered, and the Elevated certainly has not furnished proper facilities in many sections of Boston. That is particularly evident, when, as I say, there are sections of Hyde Park where you walk a mile to reach bus service. Why is it not feasible to work out some proper system of transportation for people of Hyde Park, Dorchester and other sections, who have to walk half a mile, a mile or more, for proper accommodation? It is because of the fact that the Elevated road of late has been reluctant to spread out its bus service, and as a result every section of Boston has suffered.

The order was passed under suspension of the rule.

Adjourned, at 3.44 p. m., to meet on Monday, January 17, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 17, 1938.

Regular meeting of the City Council in Faneuil Hall, at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Fish, Harris and Peter A. Murray.

APPROPRIATION FOR MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,

Office of the Mayor, January 15, 1938.

To the City Council.

Gentlemen,—I submit herewith an order providing for the appropriation of \$15,000, the same to be charged to the Contingent Fund, to be used in connection with the activities of the Employment Bureau during the current year. I am informed that during 1937 this Bureau expended \$26,189.79, and that at the present time the balance remaining in the most recent authorization is \$388.97. It is my present purpose to continue the activities of the Bureau during 1938, but on a more limited scale than prevailed in 1937. I respectfully recommend adoption of the accompanying order.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That the sum of \$15,000 be, and hereby is, appropriated for the activities of the Municipal Employment Bureau, said amount to be expended under the direction of his Honor the Mayor, and charged to the Contingent Fund when made.

Referred to the Executive Committee.

PETITIONS REFERRED.

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

Claims.

Aida M. Bourne, for compensation for damage to property at 508 Shawmut avenue, caused by falling chimney at 95 West Springfield street.

Ralph Caruso, for compensation for damage to property at 7 Endicott street, caused by overflow of sewage.

Harry Siegel, for compensation for damage to car by fire truck.

Shaheen Zeghibe, for compensation for damage to property at 1460 Washington street, caused by water being shut off.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between a point on Summer street, at entrance to the U. S. Army Base and the junction of Summer street and Atlantic avenue, over Summer street, together with and including a loop over Atlantic avenue, Congress street and Dorchester avenue, in either direction.

Petition of Leo J. Conway for license to operate motor vehicles from Forest Hills square to Mattapan square, through Walk Hill street, via South street, Forest Hills, to Hyde Park avenue, via Walk Hill street to Blue Hill avenue, to Hazleton street, return Blue Hill avenue to Walk Hill street to Hyde Park avenue to Forest Hills square.

OPINION OF CORPORATION COUNSEL
RE SUNDAY ENTERTAINMENT.

The following was received:

City of Boston,

Law Department, January 10, 1938.

To the Honorable the City Council.

Gentlemen,—I have received a copy of 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 under existing laws it is legal for musical or other entertainment to be furnished on Sunday in a cafe or restaurant either with or without a license for such musical entertainment, and if a license is required by whom should it be granted."

Section 3 of chapter 136 of the General Laws provides as follows:

"Whoever offers to view, sets up, establishes, maintains, or attempts to set up, establish or maintain, or promotes or assists in such attempt, or promotes, or aids, abets or participates in offering to view, setting up, establishing or maintaining any public entertainment on the Lord's day, except a concert of sacred music, or a free open air concert given as provided in the preceding section, unless such public entertainment shall be in keeping with the character of the day and not inconsistent with its due observances and duly licensed as provided in the following section, or whoever on the Lord's day acts as proprietor, manager or person in charge of a game, sport, play or public diversion, except a public entertainment licensed under the following section, a concert of sacred music, or a free open air concert given as aforesaid, shall be punished by a fine of not more than five hundred dollars."

In view of the provisions of said section 3, it is my opinion that a public entertainment other than a concert of sacred music furnished on Sunday in a cafe or restaurant is violative of said section unless such entertainment is licensed pursuant to the provisions of section 4 of said chapter.

Section 4 of said chapter 136, as most recently amended by chapter 326 of the Acts of 1926, provides as follows:

"Except as provided in section one hundred and five of chapter one hundred and forty-nine (relating to licenses for exhibitions or shows in which children under fifteen take part), the Mayor of a city or the selectmen of a town may, upon written application describing the proposed entertainment, grant, upon such terms or conditions as they may prescribe, a license to hold on the Lord's day a public entertainment, in keeping with the character of the day and not inconsistent with its due observance, to which admission is to be obtained upon payment of money or other valuable considerations; provided, that no such license shall be granted to have effect before one o'clock in the afternoon, nor shall it have effect unless the proposed entertainment shall, upon application accompanied by a fee of two dollars, have been approved in writing by the commissioner of public safety as being in keeping with the character of the day and not inconsistent with its due observance. Any such license may, after notice and a hearing given by the Mayor or selectmen issuing the same, or by said commissioner, be suspended, revoked or annulled by the officer or board giving the bearing."

Whether or not the Mayor has authority to grant a license for musical entertainment on Sunday in a cafe or restaurant to which no fee is charged as a condition precedent to entrance, depends upon the interpretation of the words "a public entertainment" and "admission . . . obtained upon payment of money or other valuable consideration", as used in the above quoted provisions of section 4 of said chapter 136.

It is my opinion that "a public entertainment" includes a musical entertainment in a cafe or restaurant open to the public. Section 3 of said chapter 136 refers to "any public entertainment on the Lord's Day, except a concert of sacred music or a free open air concert . . ." The implication from this language is that music is included within the meaning of the word "entertainment" as used both in sections 3 and 4 of said chapter.

It is also my opinion that "admission . . . obtained upon payment of money or other valuable consideration" does not include only instances in which the payment of a fee prior to or upon entrance to the cafe or restaurant is required but includes also instances in which a cover charge is made or payment made for food eaten or beverages drunk therein, in view of the tacit understanding, implied in the fact of admission that food or beverages will be purchased.

It is, therefore, my opinion that the Mayor has authority to grant, upon such terms and conditions as he may prescribe, a license for musical entertainment in a cafe or restaurant on Sunday, in keeping with the character of the day and not inconsistent with its due observance, as provided in said section 4. No such license may be

granted to have effect before one o'clock in the afternoon not shall such license be effective unless the proposed entertainment has been approved by the Commissioner of Public Safety, as prescribed in said section.

A contrary interpretation involves the necessity of holding that musical entertainments which are commonly furnished in cafes and restaurants on Sunday are in violation of said section 2. The matter of the licensing of Sunday entertainments will, I understand, be presented to the General Court in 1938 for clarification.

Very truly yours,

HENRY E. FOLEY,
Corporation Counsel.

Placed on file.

QUALIFICATION OF COUNCILOR FISH.

Notice was received from the Mayor that on January 4, 1938, he had administered the oath of office to Councilor-elect Philip Austin Fish of Ward 16.

Placed on file.

APPOINTMENT OF CORPORATION COUNSEL.

Notice was received of the appointment by the Mayor of Henry Parkman, Jr., 3 Brimmer street, to be Corporation Counsel for term ending April 30, 1942.

Placed on file.

HIRING OF SNOW SHOVELERS.

Coun. DOWD offered the following:

Ordered, That the Public Works Commissioner be advised, through his Honor the Mayor, that in all future snowstorms, men, employed as snow shovelers, be hired by the foreman of each yard, and that they be authorized to hire the first individuals to apply provided they are over twenty-one years of age and American citizens, and that no member of the City Government have anything to do with placing individuals to work as snow shovelers.

Coun. DOWD—Mr. President, I am forced to introduce this order because I am of the opinion that any taxpayer or citizen of Boston is entitled to work on snow removal provided he arrives at the place where the work is to be done in sufficient time. I have in mind the statement of several foremen of the City of Boston that there are numerous cases where men arrive on the scene at five o'clock in the morning and, because they are not fortunate enough to know their councilors, are not placed at work. As a matter of fact, the members of the City Council are not asked to place men at work in any other jobs, and I say it is unfair that we should select fifty men from certain wards to go to work. It is not our job; it was never intended in the city charter that it should be such. It is the job of the Public Works Commissioner, and I say, in all fairness, to those who need such jobs that no political pull or drag should be required. If the city is going to put 1,500 or 5,000 snow shovelers at work, I contend that the men arriving early in the morning are entitled to the work. For that reason I have introduced this order, and I ask before passing it that it be sent to the Executive Committee.

Coun. WILSON—Mr. President, I shall be glad to have this sent to Executive, but I want to have my personal attitude made a matter of public record. I personally agree with the councilor in his feeling of sympathy for men who arrive early on the job, but I personally feel also that there is a responsibility upon us, knowing the situation in many cases, and having in mind not alone the interest of the men but their families, to assume a certain responsibility. I certainly feel that way in regard to my own ward. While I believe there is much in the argument of the councilor that in some sections of the city political pull may have something to do with the choice of men who are given the button, I don't believe the situation will be cured by shifting the burden from some member of the Council who may know in his own district conditions in regard to some of the men desiring the work, and who may, not as a

matter of political pull, be able to be of assistance in furnishing work in much needed cases. I have had pretty close connection and touch with men and women who live in the ward where I have lived since 1896. I know of men who will get jobs as snow shovelers and who will be drunk in Codman square the night when they get paid off and whose money will not go to the families, where it should go. I know that the councilor from Roxbury is familiar with conditions in the city yards, and that there is much in what he says, taking the city at large. But I have been pretty familiar with conditions at the Gibson street yard, in my particular ward. I think I am able to furnish a practical check on the names of many of the men. I have found that in the last storm, out of 310 names, over a third could not be found on the voting list or the police list. Now, I am perhaps narrow or selfish enough to believe that citizens of Boston should be given preference on city work. With only fifty buttons to give out, I think I can guarantee, in the ward where I live, that those fifty will represent in the main the most needy families, and I think I can give assurance that, jacking fifty other needy families, those who did not get work in the last storm will get work today. I would not like to change the present system simply for the reason that members of the Council wish to evade responsibility or wish to avoid the storming of their homes. That is something that we all have to put up with, anyway. It does mean a drain, of course, on the time of members of the Council and their families. But I believe—while I have all the respect in the world for the councilor from Roxbury and his views in this matter, and while I may be wrong, as I frequently am—that I owe a certain duty, so far as I can perform it, towards families of residents of my district, even if it means a sacrifice of my time and effort, and also realizing that whatever we do in matters of this kind results in a dragging over the coals and hard feeling from the hundreds who do not get the recognition. I do wish, however, to see that, so far as I have anything to do with it, people who do get the work are deserving cases and that the money goes to starving families.

The order was referred to the Executive Committee.

PROTEST AGAINST INCREASED GAS RATES.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor instruct the Corporation Counsel to have all the facilities of our Law Department to appear before the Public Utilities Commission and register the protest of our city government against any further increase in our gas rate and to prepare the city's case demanding a decrease in gas rates.

Coun. DOWD—Mr. President, the Gas Company has prepared a petition, which goes before the Department of Public Utilities, demanding an increase in the gas rates in the City of Boston. In your opinion, Mr. President, and in my opinion, the rates charged by the public utilities company, for gas and electricity, are 100 per cent too large at the present time. That is proved by the dividends that the stockholders receive and by the enormous salaries paid to the officials of the Gas Company, in this particular instance. I feel, I think I know, that the Mayor of Boston will instruct the Corporation Counsel to use all the facilities of our Law Department not only to fight against this proposed unfair gas increase, but to ask for a decrease in the gas rates in the City of Boston.

The order was passed under suspension of the rule.

ANNUITY TO JOHN F. NEWTON.

Coun. DOWD offered the following:

Resolved, That the City Council of the City of Boston hereby favors enactment of legislation for payment of an annuity to John F. Newton, former employee of the Park Department, who lost a finger in the performance of his duty, provided that such legislation contains a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

REPORT ON MARKING HISTORICAL SITES.

Coun. KERRIGAN submitted the following:

Ordered, That the final report of the Commission on Marking Historical Sites in the City of Boston be printed as a city document; the expense to be charged to the appropriation for City Documents.

Passed under suspension of the rule.

PENSION OF HENRY FRANCIS HOGAN.

Coun. WILSON offered the following:

Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation for pensioning at full pay of Henry Francis Hogan, former member of the Police Department, who lost a leg in the performance of his duty, provided that such legislation contains a referendum to the Mayor and the City Council.

Coun. WILSON—Mr. President, this is the usual procedure, and it is offered at the request of Senator Donahoe.

The resolution was passed, under suspension of the rule.

PENSIONING OF THOMAS G. SUPPLE.

Resolved, That the City Council of the City of Boston hereby favors the enactment of legislation authorizing the pensioning of Thomas G. Supple, a member of the Police Department, on an annual pension equal to the salary received by him as a police officer, provided that such legislation includes a referendum to the Mayor and the City Council.

Coun. WILSON—Mr. President, this is also in accordance with usual procedure, and is introduced at the request of Representative John E. Troy.

Passed under suspension of the rule.

BANDSTAND IN FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to consider the advisability of erecting a modern granite bandstand in Franklin Park in place of the wooden structure recently destroyed.

Passed under suspension of the rule.

RECESS.

A recess was taken, on motion of Coun. DOWD, at 2.24 p. m. The members reassembled and were called to order at 3.23 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Mary P. Baxter (referred November 8, 1937) to be paid annuity on account of death of her husband, Walter Baxter, member of Police Department—recommending passage of the following order, viz.:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of fourteen hundred dollars be allowed and paid to Marie P. Baxter, widow of Walter Baxter, a member of the Police Department who died on August 4, 1937, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Marie P. Baxter, so long as she remains unmarried, \$1,000 per annum.

For each of the following-named children during such time as she is under the age of eighteen or over said age and physically or mentally incapacitated from earning, \$200 per annum: Dorothy Ann Baxter, born September 3, 1932; Beverly Marie Baxter, born March 13, 1936; the payments to date from August 4, 1937, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report accepted; said order passed.

2. Report on message of Mayor and order (referred today) that sum of \$15,000 be appropriated for activities of Municipal Employment Bureau—that same ought to pass.

Report accepted, order passed, yeas, 18, nays, 0. Coun. Shattuck—1.

3. Report on order (referred today) that Public Works Commissioner be advised that in all future snowstorms men employed as snow shovelers be hired by the foreman of each yard, etc.,—that same ought to pass.

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

Coun. WILSON—Mr. President, I am not going to repeat what I said before the Executive meeting, and I will be frank enough to admit that I have been wrong here more than once. But I feel very strongly on this particular question, on which nine are in favor of the order reported, six opposed, and seven not recorded, indicating the difference of view that prevails in the matter in different sections of the city. As a friend of Councilor Dowd I have great respect for his point of view, and I know it is the point of view of many members of the Council. I realize fully the fact that if his order should prevail it would make conditions easier for all of us. I realize that where there are 300 men, for instance, looking for these jobs in a certain ward, and the councilor has but fifty buttons, there is a good deal of feeling on the part of those who are not favored, and that feeling, of course, reacts against us. I will agree that the present custom makes more enemies than friends for members of the Council. But I still feel very strongly, so far as I am personally concerned, that I don't care to evade what I conceive to be my duty in seeing to it that at least fifty deserving men in the neck of the woods I represent get snow removal work. I have had a fairly long service in this body, and I fully realize how long Councilor Dowd's service here has been and what good service he has done, and I know how many yard foremen he knows. I know that his acquaintance is pretty wide, and I realize the demands that are made on him on that account. I realize, also, how Councilor Dowd, Councilor Murray and others feel in their wards, and that there is much to be said for their contention that the fairest way would be to have those who come first served first, in getting the work. Well and good, if they feel that way about it in their wards, and if other councilors feel the same way in their districts, but I don't believe, because that may be a good custom in their sections of the city, that I should therefore be automatically foreclosed from protecting the ward I represent and the people who live there, and whose conditions I know about in many cases; good, honest men, who are glad to do an honest day's work and to use the money in supporting their families, as against certain men who simply spend what they receive upon themselves. There were some excellent suggestions made in our executive meeting, one of which was that at least the men who go to work should be citizens. One way of determining that came as a suggestion from Councilor Dowd, and I now mention the fact in justice to him,—that at least each snow shoveler should show a voting certificate, so we may be sure that citizens will at least get the preference in this snow removal work which is handled by the Public Works Department. Of course, if some checking up is not used, no one can tell who is or is not a citizen, or, in fact, what ward he comes from. If some such system is not used, every man in the room knows what the result will be. Men would show up, for instance, at the Gibson street yard and if some check-up is not used, no one will know whether they are citizens or even what ward they come from. Then, while we might say that there was a certain fairness in allowing those who first arrived on the scene to have the jobs, we all know how that would work out; that strong, husky chaps who may arrive later will get a favored place in the line. It puts a premium

on the tough fellow. I have seen men in my ward arrive after others who may have stood in line since the night before, and, because they were tough fellows you would find them at the head of the line. I simply am not entirely sold personally on Councilor Dowd's idea, with all due deference to his experience in the matter. At least, I would not care to have it applied in my ward, where, in spite of the fact that I might be injured politically, I feel that I have a certain duty to perform. Councilor Dowd believes that it would be a splendid idea in his ward, and other members here feel the same way. In that case, so far as their wards are concerned, let the work be carried out on that basis. I know, of course, that Councilor Dowd would not play politics in a matter of this kind, even though large numbers of people stormed his house. But we cannot avoid appeals to us at our houses and otherwise, in any event. No matter what we do, people will still come to our houses and will still call us on the telephone. I know, also, that people looking for work will not believe our excuses. They will simply feel that we are ducking to cover. Still, realizing all the trouble to which we are subjected in such ways, I still feel a certain responsibility in this matter. I do not personally wish to wash my hands of it. Even if we should all try to do so, these men will naturally be suspicious, and some of them will think, for instance, in my case that if I would say a word to Alexander King a place would be reserved for them. Naturally, when we are dealing with men out of work, hungry men whose families need whatever little money they can bring in, they will still come to our houses and they will still call us up on the telephone. We will have the same thing that we have for men looking for jobs on the W. P. A. It is no use to tell them that we can't do anything about it. You will find them out here in the corridor now, looking for our help. We can keep telling them that we are helpless, but they will still come to our houses and we will still find them out in the corridor. So we will not free ourselves from that sort of thing, in any event. They will still feel that we are passing the buck and they will still storm our doors, bless them. In spite of the fact that we tell them that our hands are tied, they will still feel that we have the responsibility and can name men who will go to work. I think, therefore, that the fair thing would be to let Councilor Dowd play with his boys as he wishes, and to allow some of the rest of us, who may have different ideas or different circumstances to deal with, to handle the matter in our own way. But I do think it would be grossly unfair to apply the same rule that Councilor Dowd may wish to apply in his own case to the councilor from Ward 17.

Coun. DOWD—Mr. President, I hope the remarks of the councilor will not lead to a false impression that, just because I know foremen in several yards, I can go into his ward or other wards and get jobs for my constituents. I say that so that there may be no mistake. The order is very specific, very plain. As far as dealing with conditions in different parts of the city is concerned, I said in executive that I would be agreeable to a committee, to be appointed by our President, to wait on the Mayor and straighten out this matter of allocations of men to go to work, and the question of the presentation of voting certificates. So far as I am personally concerned, it does not bother me, and has not bothered me in my membership of the city government for the past thirteen years, to have men appeal to me for work. Of course, that is one of the things we accept when we take office in this body. But that is not the question involved in my order. When nothing can be done to help needy individuals, I have always told them the truth. I don't like to have them come to our houses asking for work, when we can't do anything for them. So I simply say in this order that any citizen of this city who needs work badly enough to show up in the event of a snowstorm at four or five o'clock in the morning and goes down to Albany street, perhaps waiting in line for hours, should be given preference over those who come later. I say, regardless of whether he is a friend of John Dowd's or no one, in that case he is entitled to go to work. That is my only concern in the entire matter. I say to the councilor from any district that it is unfair to say that, because any man has done work for you, he shall go to work at such a time regardless of whether he needs it or not, just because he knows us per-

sonally. Of course, I may be wrong, but I think I am right in saying that any needy citizen of the City of Boston who needs work badly enough to appear early on the job should at least have the opportunity of going to work. I do not believe that any member of the Council is attempting to pass the buck to anyone. I am simply speaking for myself. My house has been open from eight o'clock in the morning until twelve at night for thirteen long years, and any citizen of Boston who has ever wanted to see me could find me. My doors have never been locked, and it is my opinion, so far as other members are concerned, that their doors are always open, also. They are willing to help everybody they possibly can. But we cannot do the impossible. The Mayor of Boston is the final judge in this matter. If the Council passes this order, the Mayor can say what will be done about it, and I know that the Mayor we now have will always be glad to meet a committee of the Council. The thing can be arranged in any way that may be thought advisable. For example, 300 Dorchester men may appear at Gibson street, the first 100 bearing voting certificates, and they can go to work. The first 100 who come to Ward 14 with voting certificates will go to work, in the same way, and likewise in Ward 15 and every other ward in the entire city. The only point I want to bring out, and the principle on which I am standing is that just because a man in my district does not know John Dowd or has too much pride to go to John Dowd and ask him for a button or a badge, he should not be deprived of work. If that man gets out at one o'clock in the morning and stands in line, I say, regardless of Councilor Wilson or Councilor Dowd, the man is entitled to go to work.

Coun. SHATTUCK—Mr. President, I desire to offer the following amendment as a substitute.

Coun. SHATTUCK offered the following:
Ordered, That his Honor the Mayor is hereby requested to consider ways and means for improving the methods employed for snow removal by temporary day labor.

The question came on substitution of Coun. Shattuck's order for the order reported by the committee.

Coun. SHATTUCK—Mr. President, it is clear to me that the present system ought to be changed. I have about two hundred and fifty applications for fifty badges. It is impossible in many cases to tell whether the applicant even came from the ward or from some other ward, or the merits of the application. It is quite evident that many men who make the applications have been around, first to one yard and then to another, and have finally come to my ward. These things, in my opinion, ought to be planned in advance a little more. It seems to me that some scheme should be adopted, for example, whereby snow shovelers might be listed with the Welfare Department or the Municipal Employment Bureau, having in mind people who are willing to work and who need work, and taking men from that list. It may be that the suggestion made by Councilor Dowd is the best suggestion, although I at present prefer the alternative I have suggested. After all, if this is an administrative matter, it is a matter that belongs in the Mayor's department and not with us. It has been thrown to us entirely outside the terms of the city charter which says that we have nothing to do with employment or administration, that such matters are entirely for the Mayor. The substitute order I have offered, asking the Mayor to consider ways and means for improving the methods employed in snow removal by temporary day labor, seems to me to indicate a more efficient system, one that puts the matter back on the Mayor's shoulders where it belongs, and I am sure he will devise a system that will remove the present difficulties that we are laboring under. I think probably nobody approves the present system.

Coun. Shattuck's proposed substitute was adopted in place of the order reported by the committee, and was passed.

EXEMPTION ON PAYMENT OF POLL TAXES.

Coun. ROSENBERG offered the following:
Resolved, That the City Council of Boston favors the enactment of legislation to revise the

present General Laws, which exempt persons over seventy years of age from payment of poll tax, to read sixty-five years of age.

Coun. ROSENBERG—Mr. President, at the present time we have a law that those seventy years or over may be exempt from payment of poll taxes. The age of sixty-five has been adopted on old age pensions, and I think it would be well to place the poll tax exemption at sixty-five instead of seventy. I trust that the resolution will be passed.

The resolution was passed under suspension of the rule.

DENTAL SERVICE, HYDE PARK.

Coun. NORTON offered the following:
Ordered, That the trustees of the White Fund be requested, through his Honor the Mayor to consider the advisability of placing a dentist service in the Hyde Park area.

Passed under suspension of the rule.

REPLACEMENT OF HEMENWAY SCHOOL, READVILLE.

Coun. NORTON offered the following:
Ordered, That the Boston School Committee, through his Honor the Mayor, be requested to make a study of the advisability of replacing the present wooden schoolhouse known as the Hemenway School in Readville, which is located alongside of oil tanks, with a modern structure to be located in another area of that section.

Passed under suspension of the rule.

REIMBURSEMENT OF RENTALS ILLEGALLY COLLECTED.

Coun. WILSON—Mr. President, if there is no objection I will read the following orders. I think I may say at the outset that the order offered earlier by Councilor Fitzgerald, requesting that we have meetings in the old Aldermanic Chamber instead of in Faneuil Hall, should receive early consideration, because I think all the members of the Council agree, despite the historical advantage of this particular chamber, that it is not only a great inconvenience to the Council and their constituents to appear here on such a day as today, but also that typewriters are not available for the typing of orders. The first order I desire to offer is as follows:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council in detail what steps, if any, have been taken in prosecutions for reimbursement of rentals illegally collected by individuals from city-owned property, specifying in each case:

- (a) The street and street number of the parcel involved.
- (b) The present exact status of each proceeding.
- (c) The amount collected in each case, if any, especially with reference to the tax title property at 767 East Fourth street, South Boston.

Passed under suspension of the rule.

GIBSON STREET YARD.

Coun. WILSON offered the following:
Ordered, That his Honor the Mayor be requested to reconsider the proposed abandonment of the Gibson street yard of the Public Works Department.

Coun. WILSON—I would say in that connection that it is my understanding through the newspapers that the present Mayor considers possible abandonment of the Gibson street yard. I would assume that the initial move for that is because of the Loonie lease, so called, concerning which I introduced an order last June. That land has been leased for some years at a cost more than equalling the assessed value of the property. Whatever may be the merits of the thing, however, the Gibson street yard covers all of Wards 17 and 15, and I believe parts of Wards 16 and 14. The Gibson street yard has been doing a splendid job in the matter of snow removal and

for other purposes, and to now change the location to a remote point would be a distinct disadvantage to the people of the Dorchester district, particularly if the removal should be to the Hancock street yard or, still farther, Columbia road. I ask that this order be passed.

The order was passed under suspension of the rule.

LEASE OF LOONIE PROPERTY.

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 property of one Loonie located on Gibson street, Dorchester:

- (a) The date when the city leased the same.
- (b) The amount of annual rental being paid.
- (c) The use being made of same.
- (d) The amount spent on the roof of the barn or any other part of the property either by city or W. P. A. funds during the period 1933 to 1937, inclusive.

Passed under suspension of the rule.

LAW DEPARTMENT EXPENSES AND TAX TITLE PROPERTIES.

Coun. WILSON offered the following:
Ordered, That the City Auditor be requested, through his Honor the Mayor, to advise the City Council promptly, first for the year 1936, and secondly for the year 1937, the total amounts spent by the Law Department outside of its official budget.

- 1. For abatement service experts.
- 2. Legal expenses, experts, etc.
- 3. Land Court tax lien foreclosures.
- 4. Examination of titles to property, and for each item specify:
 - (a) The amount spent out of transfers from Reserve Fund or Contingent Fund, and
 - (b) The amount spent by special authorizations, and also
 - (c) List the names of the persons receiving such sums, and
 - (d) The total amount paid each person each year.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council with reference to the legal expense to the City of Boston for tax titles entered in the Land Court:

- (a) The number of tax titles entered in the Land Court by the Law Department from October 7, 1935, to date.
- (b) The total expense incurred in such Land Court proceedings.

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council with reference to all tax title properties which have come into the possession or care of his department by virtue of City Ordinance passed by the City Council on October 7, 1935:

- (a) The total number of tax title properties placed in charge of the Public Buildings Department from October 7, 1935, to date.
- (b) The total number of tax title properties actually sold by the city on recommendation of the department from October 7, 1935, to date.
- (c) The total amount realized on all sales of such tax title properties by the department from October 7, 1935, to date.
- (d) The total amount of the expenses of the department from October 7, 1935, to date.

Relating to the custody and handling of tax title properties, including:

- (a) Any and all salaries.
- (b) Wages, repair bills, supplies.
- (c) Other expenses properly chargeable to the custody and handling of such properties by the department.

The question came on the passage of the orders.
Coun. WILSON—Mr. President, my purpose in offering these orders, which I have asked be passed at this time, reiterating orders passed last year, is because of a bill that I understand has been filed by the Mayor asking the Legislature to remove from the City Council whatever authority it may have in reference to the sale of tax title property. The alleged reason, according

to the newspapers for the bill, is because of the inexperience of the Council in regard to such matters. I don't say that that is the Mayor's reason but that is the reported reason in the newspapers. I am not at this time wholly opposed perhaps to an act of the Legislature which would put the sale of tax title property to be auctioned in the hands of the Public Buildings Commissioner, even without the consent of the Council, but I think such a bill should require the approval of both the Mayor and Council if it is to be passed, and I believe it unfair to leave with the public the impression that the Council is to blame in any respect for the failure to remove more than thirty-three properties out of 2,000 that have been in Mr. Hall's hands, some of them for a year to a year and a half. The expense of putting the 2,000 properties through the Land Court would in many cases not be worth the cost, \$53,000. Out of the 2,000 only some thirty-three properties have dribbled through to the City Council. I don't know of any still awaiting action by the Council, and I think it should be made a matter of public record that the failure to unload the 2,000 odd properties does not involve any direct criticism of the Council. I ask the passage of the order at this time.

The orders were passed, under suspension of the rule.

COMMITTEE TO WAIT ON MAYOR.

Coun. NORTON—Mr. Mayor, I move that a committee of five be appointed by the Chair to wait immediately on the Mayor of Boston in regard to the procedure to adopt in the event of the snowstorm continuing, in the matter of hiring snow removal labor.

The motion was carried, and President Kerrigan appointed as such committee Coun. Dowd, Murray, Galvin, Shattuck and Irwin.

Later in the session Coun. WILSON said: Mr. President, I realize that the Chair endeavored to appoint the committee selected to wait upon the Mayor in the matter of snow removal labor with all fairness, but it occurred to me that all of the members appointed are in favor of members of the City Council having no voice in the hiring of the men. That is something that was perhaps overlooked at the moment. I would urge, therefore, that those of us who feel that we do know something about the requirements of our wards in this matter be represented on the committee.

President KERRIGAN—If there is no objection the Chair will add two members to the committee—Coun. Wilson and Agnew.

FREE DISTRIBUTION OF MILK.

Coun. IRWIN offered the following:

Ordered, that His Honor the Mayor be requested to consider the advisability of extending the free distribution of milk to all needy and deserving W. P. A. families.

Coun. IRWIN—Mr. President, at the present time families on welfare or receiving old age assistance are given free milk. Mr. Brackett, the head of the distributing division, is prepared to give 27,000 quarts of milk a day to the people now on W. P. A. This does not benefit East Boston

more than Hyde Park, Dorchester or any other section of the city. A thousand quarts are available for each ward, and the milk costs the City of Boston only two cents a quart. If the order is adopted Mayor Tobin can take the matter up with Mr. Dunn, the distributing agent at Washington street, and that free milk can be distributed.

The order was passed, under suspension of the rule.

NOTIFICATION OF HEARINGS.

Coun. IRWIN offered the following:

Ordered, That the Board of Street Commissioners or the Commissioner of any city department be instructed through his Honor the Mayor to notify the city councilor when a hearing is to be held relative to any matter pertaining to his district.

Passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Coun. AGNEW called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointment submitted by the Mayor January 10, 1938, of Earl F. Wickes, to be a constable, without power to serve civil process and to serve without bond.

2. Action on appointments submitted by the Mayor January 10, 1938, of James Coldiron, Harold Johnson, Edward Hawkins and Richard Roundburg, to be weighers of coal.

The question came on confirmation—Committee, Coun. Sullivan and Irwin.

Coun. SHATTUCK—Mr. President, is this a constable to be paid by the City of Boston in addition to the hundred or more we now have?

President KERRIGAN—The Chair understands that this is to fill a vacancy.

The appointments were confirmed, 15 to 2.

RESANDING OF DEWEY BEACH.

Coun. GALVIN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to include in the Park Department budget for 1938 a sum sufficient to provide for the resanding of Dewey Beach, Ward 2.

Passed under suspension of the rule.

RECONSTRUCTION OF NEWCASTLE ROAD.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reconstruct Newcastle road, Ward 22, under the W. P. A. type of construction.

Passed under suspension of the rule.

Adjourned at 4 p. m., on motion of Coun. LYONS, to meet on Monday, January 24, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 24, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Fish, Galvin and Harris.

CARS ON ALLSTON-DUDLEY LINE.

The following was received:

City of Boston,
Office of the Mayor, January 20, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Elevated Railway Company relative to your order of January 10, 1938, concerning the substitution of buses for street cars on the Allston-Dudley line.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston, January 19, 1938.

Mr. W. T. Doyle,
Assistant Secretary, Mayor's Office.

Dear Sir,—The trustees have directed me to reply to the order of January 10 and advise the City Council that the substitution of buses for street cars on the Allston-Dudley line comes about at the request of the town of Brookline who desire to have the tracks removed from Brookline Village to make way for the widening and changes incident to extension of the Worcester Turnpike.

When this is accomplished, unless buses are operated both on the Boston end and the Brookline end, it will be impossible to give service between Dudley street and Brookline Village, which certainly would not be in the public interest. Consequently, we sincerely hope that the petition will be granted in Boston to provide a practical solution of the problem.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

VETO OF SIDEWALK ON STANWOOD STREET.

The following was received:

City of Boston,
Office of the Mayor, January 20, 1938.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on January 10, 1938, for the making of a sidewalk along Stanwood street, from Blue Hill avenue up to and including 37 Stanwood street, Ward 11.

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,
MAURICE J. TOBIN, Mayor.

Placed on file.

VETO OF CODMAN SQUARE MUNICIPAL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, January 18, 1938.
To the City Council.

Gentlemen,—I return herewith without my signature and disapproved the resolution adopted by your Honorable Body in favor of legislation authorizing the city to borrow \$100,000 outside the debt limit for a municipal building in the Codman square section of Dorchester.

No one questions that this improvement is a very desirable one to be undertaken when conditions warrant and I appreciate that the repre-

sentatives of the district in the Council and Legislature are very much interested in it and consider it of great importance from a local standpoint.

However I endeavored to make clear in my inaugural address any opposition to incurring debt except in cases justified by emergency or urgent necessity, and as this matter does not, in my opinion, come within that class I feel constrained to disapprove it.

Respectfully,
MAURICE J. TOBIN, Mayor.

Placed on file.

NUMBER OF CITY OFFICIALS AND EMPLOYEES.

The following was received:

City of Boston,
Office of the Mayor, January 17, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the City Auditor relative to your order of January 10, 1938, concerning the number of paid officials and employees of the City of Boston and County of Suffolk in January 1, 1938.

Very truly yours,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, January 15, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—In reply to the order of the City Council adopted at its meeting of the 10th instant, and requesting information concerning the number of paid officials and employees of the City of Boston and the County of Suffolk on January 1, 1938, I submit the attached list which has been prepared in the same manner as the summary tabulation appearing at the end of Document 77 at the end of the year 1937.

Respectfully yours,
CHARLES J. FOX, City Auditor.

List of Officials and Employees, City of Boston and County of Suffolk, January 1, 1938.

| | |
|--|-------|
| Mayor's Office..... | 17 |
| Municipal Employment Bureau..... | 17 |
| Public Celebrations Department..... | 2 |
| City Council..... | 22 |
| City Council Officers and Employees..... | 12 |
| Art Department..... | 1 |
| Assessing Department..... | 129 |
| Auditing Department..... | 35 |
| Boston Housing Authority..... | 8 |
| Boston Port Authority..... | 13 |
| Boston Retirement Board..... | 19 |
| Boston Traffic Commission..... | 53 |
| Budget Department..... | 3 |
| Building Department..... | 76 |
| Board of Appeal..... | 7 |
| Board of Examiners..... | 4 |
| City Clerk Department..... | 22 |
| City Planning Board..... | 11 |
| Board of Zoning Adjustment..... | 15 |
| City Record, Publication of..... | 3 |
| Collecting Department..... | 98 |
| Election Department..... | 54 |
| Finance Commission..... | 17 |
| Fire Department..... | 1,629 |
| Health Department..... | 371 |
| Hospital Department..... | 2,310 |
| Sanatorium Division..... | 410 |
| Institutions Department..... | 579 |
| Law Department..... | 49 |
| Library Department..... | 915 |
| Licensing Board..... | 15 |
| Market Department..... | 6 |
| Park Department..... | 627 |
| Cemetery Division..... | 78 |
| Police Department..... | 2,454 |
| Printing Department..... | 119 |
| Public Buildings Department..... | 181 |
| Public Welfare Department..... | 553 |
| Public Works Department: | |
| Central Office..... | 11 |
| Bridge Service..... | 207 |
| Boston and Cambridge Bridges Com- | |
| mission..... | 3 |
| Ferry Service..... | 116 |
| Lighting Service..... | 3 |
| Paving Service..... | 609 |
| Sanitary Service..... | 494 |
| Street Cleaning and Oiling Service..... | 303 |
| Sewer Service..... | 350 |
| Water Service..... | 360 |

| | |
|--------------------------------------|---------------|
| Water Income Division..... | 104 |
| Summer Traffic Tunnel..... | 78 |
| Registry Department..... | 26 |
| School Buildings Department..... | 75 |
| School Department..... | * 7,453 |
| Sinking Funds Department..... | 3 |
| Soldiers' Relief Department..... | 41 |
| Statistics Department..... | 4 |
| Street Laying-Out Department..... | 83 |
| Supply Department..... | 33 |
| Transit Department..... | 62 |
| Treasury Department..... | 21 |
| Weights and Measures Department..... | 20 |
| County of Suffolk..... | 1,097 |
| Total..... | 22,491 |

* This amount includes over 950 seasonal employees, such as evening school and substitute teachers, whose service will terminate before June 1 with the result that their names will not appear in a June 1st compilation.
Placed on file.

PETITIONS REFERRED.

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

Claims.

- Acme Apron and Towel Supply Company, for compensation for damage to truck by fire apparatus.
- Robert Anderson, for compensation for damage to car by city truck.
- Boston Consolidated Gas Company, for compensation for damage to property caused by city dumping on premises at Calf Pasture.
- Frederic I. Closson, for compensation for damage to car by city wagon.
- Gertrude Desmond, for compensation for injuries caused by an alleged defect in Head place.
- Galway Men's Association, for refund on liquor license.
- Rev. William H. Gysan, for compensation for damage to car by snow tractor.
- Emmett J. Hayes, for compensation for damage to car by snow conveyor.
- Edward Kingsley, for compensation for damage to car by ash truck.
- Max Levine, to be reimbursed for execution issued against him.
- Patrick J. McSweeney, for compensation for damage to property at 146 North Harvard street, caused by change of grade of street.
- Celia Mary Ronan, for compensation for injuries caused by city truck.
- M. J. Rowell, for compensation for injuries caused by an alleged defect in Park street.
- Charles H. Winslow, for compensation for damage to property at 157 Stratford street, caused by stoppage in sewer.

Executive.

Petition of Udavilla Learson to be paid an annuity on account of death of her husband, Ernest G. C. Learson, member of Fire Department.

Committee on Jitney Licenses.

- Petition of Boston Elevated Railway for license to operate motor vehicles between Boston-Brookline line on Chestnut Hill avenue and Cleveland circle, over Chestnut Hill avenue and Cleveland circle.
- Petition of Boston Elevated Railway for license to operate motor vehicles between junction of Braintree street and Wilton street and the Boston-Brookline line at Harvard avenue, over Braintree street, Wilton street, Cambridge street and Harvard avenue, and between Boston-Brookline line at Huntington avenue and Dudley Street Station, over Huntington avenue, Tremont street, Columbus avenue, Roxbury street, John Eliot square, Dudley street, Washington street and / or Warren street, return over Washington street, Roxbury street and reverse route.
- Petition of Boston Elevated Railway for license to operate motor vehicles between Boston-Brookline line at Huntington avenue and Kenmore square, over Huntington avenue, Francis street, Brookline avenue and Kenmore square.
- Petition of Boston Elevated Railway for license to operate motor vehicles between Boston-Brookline line at Huntington avenue and Eggleston Square station, over Huntington avenue, South Huntington avenue, Heath street and Columbus avenue.

SIGNAL LIGHTS, WARD 14.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of including in the 1938 hudget a sum sufficient for the installation of automatic traffic signal lights in Ward 14 at the following intersections: Blue Hill avenue and Glenway street; Blue Hill avenue and Talbot avenue, Blue Hill avenue and Woodrow avenue, Harvard and Morton streets, Washington, Harvard and Bowdoin streets.

Coun. ROSENBERG—Mr. President, I appreciate the fact that his Honor the Mayor is pledged to a program of economy. However, I have presented this order requesting the installation of automatic traffic signal lights at the various intersections in Ward 14, as these designated locations are recognized by the Traffic Commission and several of the Traffic Research Bureaus which have been established as being among the most frequent accident areas. The safety of the lives of men, women and children on our highways is of vital importance. Especially is it necessary for us to exercise every precaution for the safety and protection of the lives of both pedestrians and motorists. In view of the hazards that exist at these various intersections, every effort should be made to eradicate the dangers prevalent. I trust that his Honor the Mayor will be able to include in his hudget for the year 1938 a sum sufficient to provide for the installation of the traffic signal lights requested, which would go a great way in the matter of bettering conditions upon the highways of our city. Perhaps there may be the possibility of securing a W. P. A. appropriation for the installation of these lights. In any event, I urge the adoption of this order by the members of the Council.

APPOINTMENTS BY THE MAYOR.

Notices were received of the following appointments by the Mayor:

- James Joseph McCarthy, 76 Bennett street, Brighton, to be City Treasurer, for term ending April 30, 1942.
 - Francis X. Lang, 69 Hillside street, Roxbury, to be Budget Commissioner, for term ending April 30, 1942.
 - Samuel R. Goodwin, 14 Ivy street, to be Superintendent of Markets, for term ending April 30, 1942.
- Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from J. A. McElaney, member of Board of Appeal of Building Department, of interest of Massachusetts Lime and Cement Company, of which he is president, in contract furnishing maple flooring to Department of School Buildings.
Placed on file.

GARBAGE REMOVAL CONTRACT IN JAMAICA PLAIN—WEST ROXBURY.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to furnish the City Council forthwith the following information relative to the garbage removal contract for the Jamaica Plain—West Roxbury district:

1. Was the Thoma Contracting Company awarded the contract?
2. Who composed that company?
3. Are they still the contractors?
4. If not, how does Rosnoskie and Pierskowski enter into this contract?
5. Were these men connected with the Thoma Company when the contract was signed?
6. If not, how can the City of Boston recognize these parties, with whom they have no contract?
7. Can any contractor substitute for himself another contractor at will?
8. Does a transaction of this kind show conspiracy?
9. Had the new company any dumps, or other equipment, before being awarded the contract?

10. Are they living up to the terms of the contract?

11. Have they any dumps now in Boston?

12. Did they falsify the locations of dumps they had in Boston, when the truth is they had none?

13. Should not this contract be abrogated?

Coun. PETER A. MURRAY—Mr. President, as I understand it, that garbage removal contract was let to the Thoma Contracting Company, but since then, in some way, Rosnoskie and Pierskowski seem to have secured the contract, and they are known as the contractors. It now seems that Pierskowski recently paid his men and, subsequently, on Monday morning, took back from the men a certain amount of their wages. I think this whole transaction is a matter that should be looked into and that we should get information about it from the Commissioner of Public Works, through the Mayor. Therefore, I have introduced this order which contains certain questions that I would like to have answered.

Coun. ENGLERT—Mr. President, I have received several complaints in regard to the carrying out of this contract from the people of my district, and I understand that the contractor to whom the contract was supposed to be awarded has refused to carry on the work personally under the contract, but has sublet it to somebody else. I have tried to get information in regard to the matter, and am simply told, "We don't know anything about it." I think Councilor Murray's order should be passed and that the information should be presented to this body.

The order was passed under suspension of the rule.

TREATMENT OF WELFARE RECIPIENTS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor direct the Director of Public Welfare to instruct all visitors to treat all welfare recipients in a decent and courteous manner.

Coun. DOWD—Mr. President, this order is not aimed at all of the visitors in public welfare in their entirety, by any means. As a matter of fact, we have some very fine visitors in certain sections of Boston, probably in every section; but we also have some of those hard-boiled social workers, graduates of college, who have never put in a hard day in their lives, who have always known where their next meal was coming from, and who are now holding comfortable positions for which they are well paid by the taxpayers of the City of Boston. God knows, we never know when things are going to be hard for any of us; we cannot tell what the fortunes of war may be or when you and I may be around looking for assistance for our families and ourselves. These people don't want to go on relief, but are compelled to do so through necessity, to feed their families. I say that visitors should make it as pleasant for them as they possibly can. Every member of the Council has known of cases where visitors' treatment of these people has been very much subject to criticism. They go to houses, go to the ice chest, and say, "Where did you buy that piece of meat?" Then they go to the corner store and tell them not to sell to those people more meat of that kind. I have known of visitors telling mothers who are expecting to bring little ones into the world that they cannot take care of the ones they have, and why should they have any more? I am not saying that my order applies to all the visitors. Some of the visitors are good and bring credit upon the Welfare Department. But the order is directed at the type of visitor who goes into a home in Brighton, East Boston or Roxbury, and treats the people in the home as if they were the dirt under their feet. I say that those people unfortunate enough to be on welfare are entitled to decent treatment, and all the taxpayers of Boston desire them to get decent treatment. It is not up to a visitor to tell them what to eat and what not to eat. Many of them have seen better days. If they happen to have a radio or a piano in the home, the visitor will say, "If you don't get rid of that radio or that piano, you cannot get welfare." I say that that is damnable, that it is an outrage. The previous Mayor of Boston became so far removed from the common people that he did not care, and he constantly ignored orders of this kind that were introduced in the Council. I am confident, however, that the present Mayor of Boston has had and still has the common touch with the people. He

has been one of them, and the people feel that he is still one of them. I think he will agree with me when I say that the poor of Boston are entitled to fair, decent, courteous treatment at the hands of our visitors.

The order was passed under suspension of the rule.

EXTENSION OF TIME FOR TAX APPEALS.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to draft a petition for such legislation as will extend the time beyond four months within which appeal may be taken by property owners from the Board of Assessors of the City of Boston to the Board of Tax Appeals on the question of tax abatements.

Coun. WILSON—Mr. President, this is along the same line as an order that I filed in the Council, I believe, a year ago. I believe the average small property owner in Boston, when confronted with the question of appealing from the Board of Assessors to the Board of Tax Appeals for possible abatement or reduction of taxes, because of his lack of legal knowledge of the technicality of the proceedings, frequently finds that he has been bilked out of his legal rights, that the time within which he could take his appeal, has, unknown to him, expired. The average taxpayer of Boston is probably not familiar with the fact that in order to appeal from the assessment of the Board of Assessors to the Board of Tax Appeals, under the statute he must file his petition for abatement or reduction of assessment not later than the first of October. Some of the taxpayers may realize that fact, but I venture to say that 90 per cent of those who file a petition for abatement are unaware that the law says that if such a petition has not been filed within the four months, the taxpayer allowing a greater time to go by, he has lost his right of appeal to the Board of Tax Appeals on real estate taxation matters. It seems to me that that technicality, providing such a short period of time within which the appeal may be taken, should be changed, and that the average taxpayer should not be repeatedly caught in legal technicalities on such an important matter.

The order was passed under suspension of the rule.

PAYMENT OF MOTOR EXCISE TAXES.

Coun. WILSON offered the following:

Ordered, That the Boston City Council be recorded as in favor of the bill now pending in the Massachusetts Legislature requiring an application for annual registration of a motor vehicle in Massachusetts to exhibit proper receipt showing payment of excise tax for the previous calendar year as a condition precedent to re-registration of such motor vehicle.

Coun. WILSON—Mr. President, I realize, of course, that those in the office of Registrar of Motor Vehicles cannot be expected to make themselves familiar with the past history of an application for annual registration. On the other hand, it does seem to me reasonable that a man who files an application for registration of a motor vehicle should accompany his application not only with the certificate at present required, showing that he has the legal amount of insurance, but also should present along with it a certificate showing that he has at least paid his excise tax on his automobile the previous year. I have nothing against automobile drivers as a class, but I believe the average man who drives an automobile through the streets of Boston or anywhere in the Commonwealth should have at least the financial stability that would have led him to pay his excise tax for the previous year; that his liability for property damage should be at least some assurance that he has the financial ability to pay the taxes due on the car that he drives on the streets.

The order was passed under suspension of the rule.

REINSTATEMENT OF CHARLES F. BOGAN.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be respectfully requested, on the occasion of any vacancy in the office of the Board of Street Commissioners, to reinstate Charles F. Bogan, who was laid off with some thirty other employees of the Street

Laying-Out Department in March, 1934, and who is reported to be the only former employee laid off at that time who has not been reinstated, his earlier rating being that of Chief Conveyancer.

Coun. WILSON—Mr. President, I regret that the councilor from Ward 18 (Coun. Norton) is not here, because this is simply a specific example arising under the general order he has filed here week after week. I do not advocate the gentleman in question, who served, I understand, for twenty-four years with the Board of Street Commissioners, being put back in his old position, if no vacancy exists or if the work of the Street Commission is not such as to require his services. But I do believe that this man, who was within two or three years of his pension and who did the work of chief conveyancer in that department for the city for over twenty years, should at least be appointed to fill the first available vacancy, under the new era.

Coun. AGNEW—Mr. President, I would add, upon this order, that Mr. Bogan was employed by the City of Boston, although not in that particular department, for thirty-four years, and that under the last administration, for political reasons, he was dropped. I would certainly like to see Mr. Bogan reinstated in his former position after his thirty-four years of faithful service for the city, which would have entitled him to a pension at the proper time.

The order was referred to the Committee on Rules.

TAXES ON PROPERTIES TAKEN IN DEFAULT.

Coun. WILSON offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to advise the City Council whether real estate taxes are this year being assessed against properties in the City of Boston which have been taken over after default in payment of amounts due on home owners' loan mortgages.

Coun. WILSON—Mr. President, I had intended that that order be read as a final order, because it has something to do with reference, perhaps, to other orders that are before our genial Assistant City Clerk. As long as it has been read at this time, however, before some of the other orders, I will say just a word in regard to this question of whether real estate taxes are this year being assessed against properties in the city which have been taken over after default in payment of amounts due on home owners' loan mortgages. There has been some talk about, and there is possibly a legal question, whether the City of Boston can tax property upon which there have been home owners' loan mortgages, and which accordingly have been foreclosed by the United States Government or by the Home Owners' Loan Association. I am aware of the fact that more than one home in the section I represent has had a sign placed outside of it to the effect that this is property of the United States Government; and if it is a fact that legally the City of Boston cannot tax property of the United States Government, there may be a further interesting legal question with regard to these hundreds of properties on which home owners' loan mortgages were placed, which have been defaulted and are now back in the hands of the mortgagees, whether the Board of Assessors can or cannot place assessments against those properties which can be collected.

The order was passed under suspension of the rule.

INFORMATION RE W. P. A. PROJECTS.

Coun. WILSON offered the following:

Ordered, That the City Auditor be requested, through his Honor the Mayor, to advise the City Council.

(a.) The total amount expended by the city on W. P. A. projects in each department for the years 1935, 1936 and 1937.

(b.) The total amount actually received from the United States Government for W. P. A. projects during each of the same years.

Coun. WILSON—Mr. President, with other members of the Council I am interested, and was somewhat surprised to hear in the inauguration speech of the new Mayor that the general expenses of the city, except welfare, in the City of Boston in the last few years have been reduced

by some \$4,000,000. I have grave suspicion whether those figures are correct, largely because of the fact that wages and various other items incident to W. P. A. work have eaten up a large amount. For that reason I have asked for detailed figures of the amount expended by the city on these W. P. A. projects in each department for the years 1935, 1936 and 1937, and the total amount actually received from the United States Government for W. P. A. projects during each of the same years.

Coun. SHATTUCK—Mr. President, it is my impression that a large part of the saving to which the councilor has referred is attributable to contributions for old age assistance, part of which is from Massachusetts and part from the Federal Government, and from which transfers have been made to general relief.

The order was passed under suspension of the rule.

USE OF ASH TRUCKS ON SNOW REMOVAL.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, not to permit the use of ash trucks on snow removal work unless or until the regular weekly collection of ashes and rubbish has been completed.

Coun. WILSON—Mr. President, my personal belief is, in spite of the importance of snow removal, that the primary object of the Public Works Department should be that in the winter months ashes and rubbish are, without fail, removed on schedule from in front of the various homes that I and other members of this Council represent. I realize that where the ash removal trucks after a snow storm are immediately put on snow removal work the collection of ashes and rubbish suffers, with the result in the case of the average home owner and rent payer that the ashes and rubbish are deposited in odd corners, in wooden barrels and other receptacles, with an undoubted tendency to increase the fire hazard. So I urge the Public Works Department under no circumstances, with so many trucks available, to permit the use of trucks for snow removal work until the ashes and rubbish removals have been made in the usual weekly manner.

The order was passed under suspension of the rule.

CLEARING SNOW FROM HYDRANTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Commissioner of Public Works to again resume its proper function of clearing snow from both post and flush hydrants, so that uniformed members of the Fire Department may more promptly be available for fire duty during the winter season.

Coun. WILSON—Mr. President, a special order early this month went out to the various fire houses of the city advising the district chiefs to the effect that the men in the companies, in addition to taking care of their fire duties, should see that the snow was cleared from both the posts and the flush hydrants. I personally believe, and I think the statistics will back me up in the statement, that the number of fires increases during the period of snow and throughout the winter season, and I do not believe, although I may be wrong, that the men from the various fire houses throughout the city, at a time when fire alarms are apt to be rung frequently, should be out clearing the snow from either post hydrants or flush hydrants. That is something that more properly comes within the jurisdiction of the Public Works Department. That is, of course, recognized by the city, because the bills for the salt used for clearing the snow away from the hydrants are sent to the Water Division of the Public Works Department. In other words, with the difficulties that already exist in the Fire Department of trailing hose through the snow-drifts, I do not believe the uniformed members of the department should be taken one, two or three miles away from their fire houses and away from their fire apparatus to clear hydrants throughout the city from snow. That is work that, I believe, should be more properly assigned to snow shovelers, whether men in the regular employ of the city or otherwise.

The order was passed under suspension of the rule.

PARTICIPATION IN FEDERAL HOUSING PROJECTS.

Coun WILSON offered the following:

Ordered, That the Boston City Council grant a public hearing to interested parties on the question of participation by the City of Boston in further Federal housing projects, whether by bond issues or by subsidies in the form of total or partial real estate tax exemption.

Coun. WILSON—Mr. President, I realize that when we get on this particular subject we are not only on very sacred but also on very technical ground. But I understand not only that we have the Old Harbor Village project in South Boston, as it has been handled up to date, but that there has been earmarked for Boston an additional \$9,000,000, or more, for further projects. I realize the arguments advanced in favor of these housing projects. I realize that we are supposed to believe the story that primarily the housing projects are for slum clearance and that the poor of the City of Boston will then be permitted to move into better and happier surroundings. Of course, that makes good sales talk, but the trouble is that the poor families who are supposed to be taken care of never get into these projects, that those on welfare, those under unemployment registration, those totally and partly unemployed, do not find these homes available, and that some of the more well-to-do class, those having jobs and being better able to provide for themselves are getting in. In the last statistics available we read that the unemployed registered in the City of Boston between November 16 and November 20 numbered 43,234 totally unemployed, that those on W. P. A. numbered 20,052, and partly unemployed 15,466—making a total of 78,000 poor families, people particularly in need of these projects, who were unable to avail themselves of them. Those figures may or may not be correct, but here are some figures in regard to welfare in the City of Boston. As of January 8 the total number on welfare was 29,270, on soldiers' relief, 1,397, and on W. P. A. 21,774, or a total of 52,441 persons not eligible for this happy hunting ground at Old Harbor Village. We also received information recently that was rather disconcerting, when we had representatives of the Assessing Department before the Executive Committee, who, when we asked them if tax bills had gone to the Old Harbor Village project, informed us that tax bills would go out, and then we learned, if the information was correct—and I believe it to be correct—that for some reason, shrouded in suspicious secrecy, the Mayor of Boston agreed with the Washington authorities that, instead of a real estate tax of a quarter of a million dollars on the Old Harbor Village project, the city took crumbs from the rich man's table in the form of an annual \$9,000, a so-called service charge. I don't know why that information was kept back, I don't know why it was such a dark secret, but I have my suspicions, which may turn out to be incorrect, that the reason why the payment of only \$9,000 was kept secret was because of a bill filed recently in the Massachusetts Legislature to permit the City of Boston, in common with other cities and towns in Massachusetts, for the first time in the history of the Commonwealth, to go into the real estate business. As I understand it, steps have been taken in the Massachusetts Legislature in the last few weeks, by filing a bill or bills, to permit the City of Boston, with other cities of the Commonwealth, to float bond issues and to grant tax exemptions, or subsidies in the form of total or partial real estate tax exemptions, thereby indirectly going into the housing business; and the reason for the secrecy, I feel, is that if the facts were thoroughly understood, if members of the Legislature realize that these projects were tax free, there would be more objection to the bills now filed than there would otherwise be. Going back a good many years, and quoting from Article VII of the Constitution of the Commonwealth, we find that this provision was inserted:

"Government is instituted for the common good; for the protection, safety, prosperity and happiness of the people; and not for the profits, honor, or private interest of any one man, family or class of men."

Now, despite the arguments that have been made that these housing arrangements are for the poor—although, as a matter of fact, the poor do not find them available—I personally feel that it is unfair competition for the men and women who own the 83,000 dwelling houses in the City of

Boston to be subjected to any such unfair competition. I believe it is not only unfair to the 83,000 houses, dwellings, apartments in the City of Boston, but unfair to the thousands of other people who are unlucky enough to be above the poor strata but yet not fortunate enough to get into that South Boston housing project. I may be wrong on the subject, but, under the provision of the Constitution of the Commonwealth which I have quoted, and according to ordinary rules of fairness, I don't know why the 1,600 families lucky enough or with pull enough to get into an Old Harbor Village apartment house should be on a different basis than the 52,000 people, according to the state figures, on welfare, soldiers' relief or W. P. A., or the additional thousands, according to our unemployment registration, all of whom are unable to get into that particular project. I don't know why a man who lives in Dorchester, West Roxbury or Allston, just because he has not pull enough to get into the Old Harbor Village project, should pay higher rent than he otherwise would have to pay because of such a project—and he does pay higher rent if he is not housed in that particular project, because the taxes there are abated and have to be made up by citizens elsewhere. I feel, therefore, that we should grant a public hearing to those interested in this subject, giving an opportunity to property owners or rent payers of Boston to come in and state their position on this question of participation by the city in further Federal housing projects, whether by bond issues or by subsidies in the form of total or partial real estate tax exemption. Let the Housing Board themselves come in and spread out the facts, put the cards squarely face up on the table, so that the people of Boston may know the facts as they are. And I go so far as to say that, in my opinion, basing it on the existing section of the Constitution of the Commonwealth which I have read, the \$10,000 or \$25,000 that the Council voted last year for the Housing Board is positively illegal.

Coun. NORTON—Mr. President, I agree with the councilor from Ward 17 that there should be public hearings on any and all of these questions. The more light you can get on this housing idea the more you are inclined—and I know that this will also be true of the gentleman from Ward 17—to be sympathetic. Why should any of us here in Boston in 1938 have to plead for something that the entire civilized world has come out in favor of, proper housing? You can criticize these projects all you please, you can raise legal questions but, Mr. President, we will all live to see the day when we will say "Amen" to the idea. We who want to give proper housing to those who need it, who want to give proper living conditions to America's population, of course want, through public hearings and otherwise, to throw light on this whole proposition. In regard to this item of taxation, there is a question whether the Federal Government can pay the City of Boston anything because under our charter we are forbidden to accept anything from the Federal Government. Anybody who wishes can figure out the \$9,264 which the Federal Government is to pay to the City of Boston each year, in the way of a service charge, in lieu of taxes. Each room in that unit is to be taxed 20 cents a month and that is how that figure of \$9,264 is arrived at.

Coun. WILSON—Mr. President, will the gentleman yield for a question?

Coun. NORTON—Yes, Mr. President.

Coun. WILSON—Where did the gentleman obtain the information that the figure is \$9,264?

Coun. NORTON—Mr. President, it is not secret information. Every statement I make here is a matter of public information and open to the public, through public records. I might say that you have been quoted as saying that the amount was \$9,000?

Coun. WILSON—Correct.

Coun. NORTON—I called up the Housing Authority and asked for the specific figure, and that given was given to me, something like \$9,264.

Coun. WILSON—Why should that information be kept secret up to this time?

Coun. NORTON—I object to your using the word "secret." I called up the Housing Authority, as you or anybody else can do, and obtained the information as anybody else would obtain it. I understand that that is the amount that is paid to the city as a service charge each year, in lieu of taxes. As I have said, each room in that unit is to be taxed 20 cents a month, and that is how the figure of \$9,264 is arrived at. In Cambridge

the room tax is about 6½ cents; in New York City nothing. But this tax is only a temporary matter anyway, at least until laws now being formulated are enacted. They are going to try to put through immediately additional enactments on the question, and those enactments will clear up any question that may yet be left unsettled in regard to payment to and acceptance by the city. But if the regular Boston tax rate were applied to this project, it would make the rental cost to tenants so high as to have the project competing with private real estate, and no one desires that.

Coun. WILSON—Mr. President, will the gentleman yield for one more question? Do you understand that the housing project, in connection with which there is this \$9,000 allocation of money, will be taxable?

Coun. NORTON—That is all a matter of legislation, which is now being considered and worked out at the State House and in Washington. It is the understanding at the State House that it is not taxable. Of course, the whole thing is problematical in all its aspects and manifestations. But why should we stand here at this time and attempt to block such forward-looking projects? This housing project is an attempt to give decent homes to families now living in sub-standard dwellings. Private builders admit that they cannot build houses that rent cheaply enough for the lower one-third income group, so the Federal Government is attempting to do so. Throughout the world governments are doing this. Slum clearance is here to stay. Those who oppose it do so because they are not fully informed. Of course, mistakes have been made and will be made, as is always the case in any new undertaking. Suppose, if you wish, that everything done in South Boston has been done wrong, but look at what the Federal Government is attempting to do. Here is an initial project. Of course, you may find a thousand mistakes in it, but I say to those gentlemen who oppose it now that we have this new idea taking hold in America, an idea that has been in operation for some months, and we should be sympathetic to such an idea, that is in the interest of the poor people of this community and this country. I want to ask any opponent of such a project on the floor of the Council to give a single instance where there is one family living in an apartment in any of those houses that should not be there. I think it will be agreed by anybody who looks into the matter that the idea, apart from minor details that may be criticized here and there, is a good one. Of course, nobody desires to take from real estate men what they now have. The only families who are going into this project, as I understand, are families earning from \$800 to \$1,800 a year, now living in tenements in sub-standard homes, where they have no toilets, no bath tubs, where the conveniences that people generally now expect as a matter of course are lacking. In many cases they are living in slum property 50 to 100 years of age, that is unfit for human habitation. At the present time there are as tenants families with four or five children, where the heads of the families are working for a steamship company, for instance, and where they have been living in improper places, improper dwellings, in certain sections of Boston. For a rental of \$5 to \$7 a room, or even less, families now living in these sub-standard homes will move into the South Boston units. Thousands of applicants have applied and are being rigidly looked up. The rental includes heat, refrigeration, electricity for cooking and lighting. A private owner who controls 1,300 apartments in Boston states that his average rental is \$13 per month per room, without including some of the above items. Hence this housing project will not compete with this investment. There are now, I understand, eleven of these government housing units in America, the project having been going on for some months, and the opponents of this sort of thing are unable to point to a single family in these units who should not be there. Now, the City of Boston cannot accept one cent from the Federal Government under our own charter.

Coun. SHATTUCK—Mr. President, the gentleman refers to the Boston charter keeping the City of Boston from receiving money from the Federal Government. What section of the charter do you have in mind?

Coun. NORTON—I shall be very glad to give that to you. I had that statement handed on to

me by one who is particularly cognizant of the situation. I can point out to the gentleman the section of the Federal law and will also be glad to point out the section of the City Charter. It is a well-known fact that the Federal Government is prohibited from paying money to the City of Boston at present, and there is also that specific part of the Boston charter. That was stated to me this morning by a member of the Housing Board, and I have confidence that he knows what he is talking about. But, as I have said, if a large amount should be paid to the City of Boston in taxes, it would mean that the rental would be more than doubled, would be much more than it should be. As far as the service charge that is to be paid to the city by the Federal Government is concerned, the 20 cents per room per month, I understand, was eventually agreed to by Mayor Mansfield, and that is how the figure of \$9,264 per year was arrived at. I suppose the situation of the unfortunates on welfare, who have no money, will be taken up later and faced when we come to it. The first thing is to take care of those who have some income and who are unable to obtain a proper living home for themselves and their families today. The Federal Government has been putting six and one quarter millions into this proposition, taking waste land, land which had been used for nothing whatever, which was taxed \$12,500 a year by the city, but on which the taxes were unpaid for years. The Government stepped in and paid \$40,000 in back taxes, paid that amount to the City of Boston in cash. Now, I simply say that those who oppose the Federal Government's attempt to provide decent housing should study the facts. The opponents of the project claim that the thing is unfair. It is not unfair, Mr. President. It is an attempt to fill a long-felt want, a forward-looking proposition, and something which should have our sympathy and support. I appeal also to the younger members of this body particularly to take an interest in this important subject and thus help to give thousands of our ill-housed children and people a chance. When properly studied it will be understood that this project preserves a proper relationship to the other real estate interests in this city today.

Coun. WILSON—Mr. President, I ask the councilor, if the primary object of these projects is charity, why not go the full distance? Why bar the 52,000 families on welfare, soldiers' relief and W. P. A.? Why pick a chosen class above the poor, letting them go in there?

Coun. NORTON—Mr. President, I suppose before we leap we must walk. I suppose in starting any project we must feel our way through trial and error. That is so in arriving at any objective. We are now pioneering in this matter and we will go further. We are now attempting to take care of people with four, five or six children, who are earning from \$800 to \$1,800 a year. They are now living in homes in slum districts, where crime is rampant, in different sections of Boston. You say, why not take care of the poor in this project? I suppose it will come to that, but why not first attend to what we have here in hand? The Federal Government has started out with a low income group, and no doubt the work will continue. I wish that every one of the poor in Boston might be taken care of, that they might all have proper homes. I certainly wish that we could do something about it at this time. But we must all walk before we can leap or run.

Coun. WILSON—Mr. President, I am afraid the gentleman is getting away from the question I asked. I would remind the councilor that the only people who can get into these projects are men who can show not only that they have a permanent job, but that they are earning sufficient to pay the rent. If they lose their jobs, I suppose they will have to vacate, the same as others.

Coun. NORTON—These men, with their families, have an income of say \$900 to \$1,800 a year, having four, five or six children, and now living in homes with four, five or six rooms, homes that are improperly built, poorly ventilated, lacking heat, refrigeration and electricity for cooking and lighting. There are people in the South Boston unit who never before lived in real homes. There are families in that unit that never before had the fundamental proper requirements for themselves and their children. Why should we place obstacles in the path of that marvelous attempt? There may be things about it that are wrong, but it is a forward-looking attempt to furnish such people with decent living conditions, one of the great

problems of the world. I believe thoroughly in projects of that kind, and I want to make the statement now, and I want it for our record, that not a man will stand here on the floor a year from now and condemn that project. There are 4,000 applicants for these houses, two families each, an average of four or five children to a family. If the head of such a family, the father, takes his money on Saturday night and spends it on liquor so that his family does not get it, that means that no such case is going to have preference in the South Boston unit. They have there an almost marvellous method of investigation in connection with the carrying on of that unit, and you would be surprised at the families receiving \$1,100 a year and up who live in those tenements. A year from now, I venture to say, no member of the Council will dare to object to such a project. And I now—and I want to have Mr. Harnden make this clear in the record—want to challenge any member of the Council to stand on the floor a year from now and throw a stone at Franklin Delano Roosevelt's attempt to give proper housing to the people of Boston.

Coun. TAYLOR—Mr. President, I wish to indorse what Councilor Norton has said, I believe this to be a mighty important subject, as far as the City of Boston is concerned, the importance of which will be more and more realized as time goes on. It may or may not be well for the City Council of Boston to order a public hearing on the question, in spite of the suspicion in the mind of one of our councilors that this is a dangerous thing. A hearing will bring out in the open things about which we have no knowledge. As far as the intimation that there has been any secrecy in the matter is concerned, Councilor Norton says that the figure he has produced is not a secret, that it is a matter of public and open record. Why should we, on a matter of public record, be influenced by the suspicion in the mind of a councilor here? There is no question in my mind that the housing project referred to, as Councilor Norton states, is one of the most worthy projects in the entire civilized world today. If the President of the United States succeeds in nothing else than this, he will have accomplished a great deal. The people of Boston, like those of other cities, want this housing project, and we of the City Council do not want to do anything that is going to discourage the Federal Government from bringing into our city any such project. It is true that in the beginning it will not meet the needs of all, because no project of whatever size can take care of all the needy people in the entire city. But at least it will be a start on the right road. Therefore, I don't think this Council should take any action at all that might discourage the Federal Government from developing that project in our city.

Coun. WILSON—Mr. President, I do not wish to prolong the debate, but I do wish to say just a word in answer to at least three statements, for purposes of the record. First, in regard to what I said about the secrecy of the \$9,000 item, I will wager that if it were not for what had been brought out recently we never would have received this information from the Housing Board. Of course, it is not a secret now; the cat is out of the bag. In regard to the remarks of the councilor from Ward 12 (Coun. Taylor), I don't blame him for getting away from the original order. He no doubt lost sight of that order in the volume of remarks that have been made, of which I have been as guilty as anybody else. The order does not make any reference to investigation of the \$9,000 agreement. It simply grants to the taxpayers of the City of Boston the American rights that have always been upheld in this hall, to have a hearing and express their views in regard to all public matters in which they are concerned. I am surprised that any city councilor of Boston would refuse to the citizens of Boston the right, especially in this hall, of all halls, to be heard. I have referred to the matter which is now being pushed through the Massachusetts Legislature, and that is certainly a matter upon which all our citizens should have a right to speak their piece and to have something to say on the question of whether the city shall be driven into bankruptcy or not.

Coun. NORTON—And, Mr. President, I am in favor not only of such a hearing, but of all hearings. We win for the right by knowledge. Therefore, I am in favor of public hearings on this matter and on all matters, if the Council so desires. On that question I stand with him, because this is a ques-

tion of education. This idea has been sold to the world, and this hall, the most patriotic of all buildings in America, has always been dedicated to the right of free speech in the interest of the common people and not to any so-called entrenched interests. Ah, if that old picture [the painting depicting Webster's reply to Hayne] could speak, it could tell, as the timbers of this old Cradle of Liberty could eloquently tell, of defence in the past of the rights of minorities, of the rights of the American people. And so it is very appropriate and fitting that we should discuss this housing project here in old Faneuil Hall, the most famous historic hall in America, and known the world over. It is well that every individual should be heard here on anything that concerns human rights. Anything that stands in the way of such a humane and forward-looking movement as these housing projects must go.

Coun. WILSON—How many of these sub-standard buildings were torn down to build this six and a quarter million Old Harbor Village project?

Coun. NORTON—That has nothing to do with it.

Coun. WILSON—There were no such buildings torn down, when you speak of supplanting such buildings with these other buildings.

Coun. NORTON—Mr. President, you cannot lick right with words, with specious arguments. You cannot lick the truth with subterfuge. The interrogatory has been thrown at me, How many buildings were torn down to make room for this project in South Boston? I answer, of course, none. This was an abandoned pasture, abandoned land, land that was not being used and that afforded the opportunity for a project of this kind. It was land that was taxed, before the Government built this project, for \$12,500 a year, for years, but the taxes were unpaid. It was abandoned land, and the Government stepped in and paid \$40,000 in back taxes. There is now a public demand, crystallized in this and other such projects, that people have an opportunity to live in decent homes. We now hear criticisms of the way in which this land was taken, in the first place. But, as I say, there was not a nickel in taxes coming from that property. It was abandoned land. So, when the councilor asks, How many buildings were torn down to make way for this project, the answer is, naturally, none. But the folks going in there come from other sections of Boston, come from sub-standard homes, and are now being given a chance to live with decent home surroundings.

Coun. IRWIN—Mr. President, we have heard about three-quarters of an hour of speech-making upon this matter, one of the questions discussed being whether the city would have a right to tax or accept taxes from this property. The councilor from Hyde Park states that, in his opinion, it would be against our City Charter to accept taxes, and also that it is against the practice of the Federal Government to give any taxes. There seems to be some difference of opinion, and the two councilors who have been the main speakers do not seem to know just what the fact is. There may be a question there, of course, but the main thing, I think, in the minds of most of the members of the Council is that this contract has been gone into by the Federal Housing Authority, who, to my mind, should know just about what they are legally entitled to do. The contract was entered into by the former Mayor of Boston, who had the Corporation Counsel's advice on the question of whether we could enter into the contract. The situation seems to be this, that apparently the agreement was considered legal and was entered into. The question naturally suggests itself, why, if such a contract is legal, such a low price as \$9,000 a year was agreed to. That is something that we are interested in. If such a public hearing as Councilor Wilson suggests is held, that will naturally be a question that we are interested in and will want to know about,—if it was legal, why such a low price was determined upon.

The order was declared referred to the Committee on Rules.

Coun. WILSON—Mr. President, I want a roll call on that.

President KERRIGAN—The Chair will explain that it is necessary to have the order revised in order to accomplish the object the councilor has in mind.

Coun. WILSON—Well, I simply want to have action taken, and not to have the order buried.

President KERRIGAN—It is not to be buried but the idea is simply to put it in proper form.

Coun. WILSON—I don't want to be a pall-bearer at the burial.

The order stood referred to the Committee on Rules.

Later in the session Coun. WILSON said:

Mr. President, as I understand it, in reference to the order for a public hearing, which was referred to the Committee on Rules, the committee will report next week either in favor of having a hearing by the Executive Committee or by a special committee?

President KERRIGAN—Yes, that is the understanding of the Chair.

TRAFFIC LIGHTS, WARD 15.

Coun. KELLY offered the following:

Ordered, That the Boston Traffic Commission be requested, through his Honor the Mayor, to install traffic lights at the junction of Freeport, East and Hancock streets and Dorchester avenue, the four corners known as Glovers Corner, Ward 15.

Coun. KELLY—Mr. President, I know that the Mayor of Boston has been preaching economy, but in the last three months there have been three fatal accidents at this point, and it is certainly in the public interest that traffic lights be installed at this junction in an attempt to prevent a repetition of that sort of thing in the future. I move that the order be passed under suspension of the rule.

The order was passed under suspension of the rule.

PAYMENT TO MOTHER OF DAVID McDONALD.

Coun. KELLY offered the following:

Resolved, That the Mayor and City Council favor the enactment of legislation authorizing the City of Boston 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 the City Council.

Passed under suspension of the rule.

OBSERVANCE OF EVACUATION DAY.

Coun. KERRIGAN and GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to include in the budget for 1938 a sum sufficient to provide for the proper observance of Evacuation Day in South Boston.

Passed under suspension of the rule.

PAYMENT TO MOTHER OF JOHN MCGONAGLE.

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 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.

Passed under suspension of the rule.

PAYMENT TO FATHER OF JOSEPH TAYLOR.

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.

Passed under suspension of the rule.

CRESCENT AVENUE ENTRANCE OF COLUMBIA STATION.

Coun. HUTCHINSON 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 Columbia Station open the same hours as the Columbia road entrance.

Passed under suspension of the rule.

REPLACEMENT OF GAS LAMPS, WARD 13.

Coun. HUTCHINSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace all gas lamps now in use in Ward 13 with electric lights.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, offered the following:

Report on petition of James M. Doherty (referred December 6, 1937) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor vehicle belonging to Paving Division, Public Works Department—recommending the passage of accompanying order, viz.:

Ordered, That the sum of five hundred twelve dollars and seventy-three cents (\$512.73) be allowed and paid to James M. Doherty 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 Contingent Fund.

Report accepted; said order passed.

REPAIRS TO ALLSTON TUNNEL.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make the necessary repairs to the Allston tunnel, connecting Lincoln and Cambridge streets, as a W. P. A. project.

Coun. SULLIVAN—Mr. President, the importance of this matter demands immediate attention. There is a very bad situation. The lighting there is totally inadequate, there is a lack of proper care of the place, and there is a stench in the air. The walls are broken down, and the place has become disreputable. Women at night hesitate to go through there, and men have been insulted and threatened. I really believe the W. P. A. money could not be appropriated for a better use than in the repair of that place.

The order was passed under suspension of the rule.

TEMPORARY INVESTIGATORS, PUBLIC WELFARE DEPARTMENT.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of immediately appointing temporary investigators in the Public Welfare Department for the purpose of expediting certification of applicants for W. P. A. employment.

Coun. CAREY—During the last eight or ten weeks—and I find in talking with several of my colleagues that the situation is general—there seems to have been considerable delay in investigations by the Welfare Board because of the fact that there is not a sufficient number of welfare investigators to properly handle the work, the load placed on the shoulders of the individuals being too great in connection with W. P. A. certification. Personally, I have known of some twenty-five cases where there seems to have been what you might call a passing of the buck back and forth, due to that delay. It seems evident that there is not a sufficient force of investigators to take care of the situation, and it certainly results in delay to many who are anxious to have an opportunity to go to work. I therefore recommend passage of the order at this time.

Coun. ROSENBERG—Mr. President, I think the passage of this order would probably be very helpful, and I trust that the Mayor will be able to appoint some additional investigators. In my own district I have been only recently informed that there is not a sufficient number of investigators to go out and investigate the cases. I believe the more that work is expedited, the sooner the investigations are made, the better it will be for these people who wish to be certified and to secure W. P. A. employment. There certainly should be some way provided whereby they can be assigned to W. P. A. or projects, or possibly to other work. It might be that a number of men and women seeking employment would thereby be assigned to temporary work.

The order was passed under suspension of the rule.

INCREASE OF FIREMEN'S PENSIONS.

Coun. CAREY and DOWD offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to increase the pensions of firemen formerly retired from the service of the city to an amount equal to one half of the present maximum pay of a fireman of the same rank, provided that such legislation includes a referendum to the Mayor and City Council.

Coun. CAREY—Mr. President, that order is in substance,—in fact, I think perhaps word for word,—similar to one introduced here by Councilor Dowd last year. Of course, we are all mindful of the fact that Mayor Tobin does not want to increase city expenses during the coming year except in emergency cases. But here we have forty or fifty men in the Fire Department who have been pensioned before the present pay rates were established. As a matter of fact, the services performed by those men in the department was of the same nature as, or perhaps even more difficult than, that of the men at present in the department. I feel that, inasmuch as there have been such increases, these forty or fifty men should be considered, because the work they performed was certainly as difficult as, and perhaps even more difficult, than the work performed by those who are being put on at the present time. Therefore, I move the passage of the order. I want to say this for the record, that I have been assured that no pressure will be brought on Mayor Tobin to make that effective this year. I want that thoroughly understood.

The order was passed under suspension of the rule.

BETTER CAR SERVICE, DUDLEY STREET LINES.

Coun. CAREY offered the following:

Ordered, That the Boston Elevated Railway Trustees be requested, through his Honor the Mayor, to provide better service on the Allston-Dudley street and Jamaica Plain-Dudley Street lines during the evening rush hours.

Coun. CAREY—Mr. President, that order is similar to many orders introduced not only in this Council but in previous Councils. As having an important bearing on the matter, at the present time we are obliged to put up with numbers of one-man cars in Boston. In the old days we had five-cent fares and profits, and today we have the ten-cent fare and deficits. In the old days there were two men operating each car. I feel that a great deal of the delay on this line, as on other lines in the city, is due to the fact that only one man operates a car. I hope favorable action will be obtained upon this order.

The order was passed under suspension of the rule.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

RETIREMENT OF EDWARD F. HARRINGTON.

Coun. PETER A. MURRAY offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the retirement at full pay of Edward F. Harrington, who received severe head injuries while in the performance of his duty as a member of the Boston Police Department in 1931 and who, because of the nature of said injuries, will never be able to return to work again, provided the act contains a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. PETER A. MURRAY, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway (referred January 10) for license to operate motor vehicles between Rowe's Wharf and State street—recommending that license be granted.

Report accepted; license granted on usual conditions.

2. Report on petition of Boston Elevated Railway (referred January 17) for license to operate motor vehicles from Army Base to junction of Summer street and Atlantic avenue—recommending that license be granted.

Report accepted and license granted on the usual conditions.

Coun. NORTON—Mr. President, I would like to say that twelve men who were working for the Rawding Company have obtained positions with the Boston Elevated. Due to the fact that we granted the license, twelve of those men are now placed, with a 50 per cent increase in salary, and they are tickled to death.

Coun. DOWD—Mr. President, I would like to answer the councilor. I think we had reason to believe when we were considering this matter that all the men working for the Rawding line would be taken over, and, personally, I want to express disappointment because of the fact that the Elevated did not take the others over.

PRINTING OF POLICE LISTING OF RESIDENTS.

Coun. AGNEW offered the following:

Ordered, That the Election Department and the Printing Department, through his Honor the Mayor, compile and have printed the Police Listing of residents in effect and ready for distribution on or by May 1, 1938.

Coun. AGNEW—Mr. President, just a word on that order. After the police listing has been all done it is put in the hands of the Election Department and forwarded to the Printing Department. The police lists have never been available until some time during July or August. I think the fact that these lists are not ready and available at a much earlier date means an undue delay. I believe the Election Department and the Printing Department, working together on this matter, should have these police lists ready at a much earlier date, and I think it is quite obvious for various reasons that they should be ready at an earlier date.

The order was passed under suspension of the rule.

BETTER CAR SERVICE, HUNTINGTON AVENUE LINES.

Coun. CAREY and CHASE offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to arrange for better service on the Huntington avenue line during rush hours.

Passed under suspension of the rule.

MONEY IN POLICE STATIONS FOR
EMERGENCY RELIEF.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of conferring with the Boston Police Commissioner relative to having at each police station a certain amount of money, say \$25, to be used for emergency purposes when a police officer comes in contact with a family that needs relief at once when the regular welfare offices are closed.

Coun. NORTON—Mr. President, I believe that

in each police station of the City of Boston there should be a sum of money, say \$25, available to the officers of the station for use in emergency cases, say \$5 or \$10 at a time. In the city of New York I believe the different stations have \$50, and I think something along that line should be done in Boston.

The order was passed under suspension of the rule.

Adjourned at 3.45 p. m., on motion of Coun. AGNEW, to meet on Monday, January 31, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 31, 1938.

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

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council the Mayor submitted the following appointments, viz.: Weighers of Coal: Gerald F. Hughes, 4 Bradley road, North Weymouth, Mass.; Arthur Jones, 29 Carroll street, Watertown, Mass.; A. Gersony, 93 Brant street, Dorchester, Mass.; H. J. Towle, 79 Woods avenue, Somerville, Mass.; William Connolly, 527 Ashmont street, Dorchester, Mass.; Dominic Dinicola, 9 Bickford street, Jamaica Plain, Mass.

Severally laid over a week under the law.

TRAFFIC SIGNALS, BRIGHAM CIRCLE.

The following were received:

City of Boston,
Office of the Mayor, January 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith two letters from the Boston Traffic Commissioner, relative to your orders of January 10, concerning the installation of an automatic traffic signal at Brigham Circle, Ward 10, and the erection of a large sign board at the same location.

Very truly yours,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, January 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 10, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect a large hoard sign at Brigham Circle, Ward 10, directing motorists to Providence and other points outside of Boston."

Orders have been issued to locate and erect a large directional sign in the island at Brigham Circle directing motorists to Providence and Worcester and to downtown Boston and the Sumner Tunnel.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

City of Boston,
Traffic Commission, January 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 10, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to arrange for the installation of automatic traffic signals at Brigham Circle, Ward 10."

Our records show that from January 1, 1928, to date, thirty-nine vehicle accidents involving personal injury have occurred at this location. One of these accidents resulted in a fatality which occurred on April 7, 1928.

The engineers of this commission believe that the installation of an automatic traffic signal would materially reduce the accident hazard at this intersection. The cost of such an installation would be approximately \$2,800. There are no funds available to this commission at present for this purpose.

All traffic signals which have been installed in the City of Boston from 1929, when the first automatic device of this kind was erected, to the present time, have been paid for from special appropriations specifically designated for the

purpose. These appropriations have been loan orders or funds transferred to an appropriation from other available sources. No provision has ever been made in the yearly hudget of this department for the erection of traffic signals. Pursuant to this policy, the initiative in creating such funds has rested with the Mayor and City Council.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

BANDSTAND IN FRANKLIN PARK.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of January 17, 1938, concerning the erection of a handstand in Franklin Park.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, January 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of January 24, with inclosure, order from the City Council to consider the advisability of erecting a modern granite handstand in Franklin Park, in place of the wooden structure recently destroyed.

I regret exceedingly to inform you I cannot see my way clear, owing to financial conditions, to erect such a structure at the present time. I will, however, be very pleased to draw up a W. P. A. project for the erection of a suitable stand for this area, if arrangements can be made with the Federal Government to supply the material.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESANDING OF DEWEY BEACH.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of January 17, 1938, concerning the resanding of Dewey Beach.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, January 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of January 24, with inclosure, order from the City Council that the Park Department include a sum sufficient to provide for the resanding of Dewey Beach, Ward 2, in the hudget for 1938.

Please be informed I have submitted my hudget since last November, 1937, and owing to the financial condition of the city no request was made for the sanding of beaches.

The Park Department will endeavor to keep this beach in as good condition as is possible during the hathing season.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

NOTIFICATION OF HEARINGS.

The following was received:

City of Boston,
Office of the Mayor, January 24, 1938.
To the City Council.

Gentlemen,—In compliance with your request contained in Councilor Irwin's order under date of January 17, 1938, I have forwarded the following communication to the Board of Street Commissioners.

"The City Council under date of January 17, 1938, passed the following order:

"Ordered, That the Board of Street Commissioners, or the commissioner of any city department, be instructed, through his Honor the Mayor,

to notify the City Councilor when a hearing is to be held relative to any matter pertaining to his district.

"It is my desire that you comply with their request."

Very truly yours,
MAURICE J. TOBIN, Mayor.

Placed on file.

LEGAL EXPENSES RE TAX TITLES.

The following was received:

City of Boston,
Office of the Mayor, January 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith two letters from the Law Department relative to your orders of December 10, 1937, and January 17, 1938, concerning the legal expense to the City of Boston for tax titles entered in the Land Court.

Very truly yours,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, January 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office, dated December 10, 1937, with which was submitted a copy of the following order passed by the City Council:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council with reference to the legal expense to the City of Boston for tax titles entered in the Land Court:

A. The number of tax titles entered in the Land Court by the Law Department from October 7, 1935, to December 7, 1937.

B. The total expense incurred in such Land Court proceedings."

I am not altogether clear as to what is meant by the words in the above-quoted order "the number of tax titles entered in the Land Court," but I assume these words mean "the number of tax title foreclosure petitions filed in the Land Court."

The Tax Title Division of this department has advised me that during the period mentioned in said order, namely, from October 7, 1935, to December 7, 1937, 1,099 petitions to foreclose tax titles have been filed by the City of Boston in the Land Court.

It has been computed that the average Land Court cost in those cases in which foreclosure decrees have been entered is \$23.61 a parcel. The basis upon which this average is arrived at is set forth in a letter addressed to Mayor Mansfield under date of July 2, 1937, and transmitted by him to the City Council.

In those instances wherein a decree of foreclosure has not been entered after the filing of a petition, the average cost is the same as in those instances wherein a decree has been entered, except for the Land Court cost of the entry of the decree. This cost is one dollar.

To the average Land Court cost above referred to of \$23.61 and \$22.61 a parcel, respectively, should be added an allowance for office expense and the time of one assistant corporation counsel and one stenographer and an allowance for the city's share of that part of the cost of a W. P. A. project properly allocable to this work. It is estimated that a proper allowance for said W. P. A. cost has averaged substantially less than one dollar for each parcel.

Very truly yours,
HENRY E. FOLEY,
Corporation Counsel.

City of Boston,
Law Department, January 26, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I am in receipt of a memorandum from your office dated January 24, 1938, with which was submitted a copy of the following order passed by the City Council:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council with reference to the legal expense to the City of Boston for tax titles entered in the Land Court:

a. The number of tax titles entered in the Land Court by the Law Department from October 7, 1935, to date.

b. The total expense incurred in such Land Court proceedings."

In City Council January 17, 1938. Passed.

This order seems to be identical with a previous order passed by the City Council on December 6, 1937.

A memorandum from the office of the Mayor referring to the order of December 6, 1937, was received by the Law Department from the office of the Mayor, and received the attention of the Law Department.

Under date of January 10, 1938, Henry E. Foley, then Corporation Counsel, in a letter addressed to your Honor, gave the information which this inquiry seemed to require.

A copy of this letter of January 10, 1938, is attached hereto.

As these two orders from the Council seem to be identical, it would appear that the matter has already been covered in the letter above referred to; there having been no petitions filed in the Land Court since December 7, 1937.

If, however, any further information is required, this department will be very glad to furnish the same.

Yours very truly,
HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

ANNUAL BUDGET.

The following was received:

City of Boston,
Office of the Mayor, January 31, 1938.
To the City Council.

Gentlemen,—Under the provisions of section 3 of the City Charter the Mayor "within thirty days after the beginning of the fiscal year shall submit to the city council the annual budget of the current expenses of the city and county, and may submit thereafter supplementary budgets until such time as the tax rate for the year shall have been fixed."

Because of the pressure of business naturally attendant upon the opening of a new administration, it has been impossible for me to complete my review of budget estimates submitted by department officials for the activities of the current year. In order to comply with the charter provision I submit herewith lump sum budget recommendations for city and county departments. When I have completed my review of appropriation requirements I shall submit to your Honorable Body a budget in segregated form.

Respectfully,
MAURICE J. TOBIN, Mayor.

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1938.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1938, 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 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 the *City Record* be met by the 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, 1937, 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, 1938, and by taxes 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 1938, 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 1938; that interest shall be charged on all taxes remaining unpaid after the first day of November, 1938, in accordance with the provisions of chapter 59, section 57, of the General Laws, as amended, 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, 1938, until paid, and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That, except as the appropriation for any purpose or item shall be increased by additional appropriations or transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purpose or item; and except as aforesaid no salary or wages shall be paid in excess of the rates specified in said tables and schedules.

LUMP SUM DEPARTMENTAL ALLOWANCES RECOMMENDED BY MAYOR FOR 1938.

| City Maintenance. | |
|---------------------------------------|---------------|
| Department. | Allowances. |
| Art Department..... | \$410 00 |
| Assessing Department..... | 300,000 00 |
| Auditing Department..... | 88,382 35 |
| Boston Port Authority..... | 40,000 00 |
| Boston Retirement Board..... | 33,500 00 |
| Boston Traffic Commission..... | 167,000 00 |
| Budget Department..... | 11,988 00 |
| Building Department..... | 205,000 00 |
| Board of Appeal..... | 9,900 00 |
| Board of Examiners..... | 4,500 00 |
| City Clerk Department..... | 47,000 00 |
| City Council..... | 85,000 00 |
| City Council Proceedings..... | 11,250 00 |
| City Documents..... | 20,000 00 |
| City Planning Board..... | 23,000 00 |
| Collecting Department..... | 165,000 00 |
| Contingent Fund..... | 275,000 00 |
| Election Department..... | 250,000 00 |
| Finance Commission..... | 50,000 00 |
| Fire Department..... | 4,100,000 00 |
| Wire Division..... | 95,000 00 |
| Health Department..... | 965,000 00 |
| Hospital Department..... | 3,400,000 00 |
| Sanatorium Division..... | 685,000 00 |
| Institutions Department: | |
| Central Office..... | 47,000 00 |
| Child Welfare Division..... | 370,000 00 |
| Long Island Hospital..... | 850,000 00 |
| Steamers "Hibbard" and "O'Meara"..... | 62,000 00 |
| Law Department..... | 140,000 00 |
| Library Department..... | 1,300,000 00 |
| Licensing Board..... | 50,000 00 |
| Market Department..... | 17,000 00 |
| Mayor, Office Expenses..... | 80,000 00 |
| Public Celebrations..... | 40,000 00 |
| Conventions, etc..... | 10,000 00 |
| Park Department..... | 1,400,000 00 |
| Cemetery Division..... | 75,000 00 |
| Police Department..... | 6,100,000 00 |
| Public Buildings Department..... | 550,000 00 |
| Real Estate Division..... | 10,600 00 |
| Public Welfare Department: | |
| Central Office..... | 10,300,000 00 |
| Temporary Home..... | 11,000 00 |
| Wayfarers' Lodge..... | 15,000 00 |
| Public Works Department: | |
| Central Office..... | 34,000 00 |
| Bridge Service..... | 445,000 00 |
| Bridges, Repairs, etc..... | 150,000 00 |

| | |
|--------------------------------------|------------------------|
| Ferry Service..... | \$200,000 00 |
| Lighting Service..... | 990,000 00 |
| Paving Service..... | 1,400,000 00 |
| Snow Removal..... | 350,000 00 |
| Reconstruction of Streets..... | 50,000 00 |
| Sanitary Service..... | 2,200,000 00 |
| Sewer Service..... | 600,000 00 |
| Sewerage Works..... | 159,054 47 |
| Registry Department..... | 68,200 00 |
| Reserve Fund..... | 125,000 00 |
| Sinking Funds Department..... | 2,678 22 |
| Soldiers' Relief Department..... | 658,500 00 |
| Statistics Department..... | 9,500 00 |
| Street Laying-Out Department..... | 180,500 00 |
| Supply Department..... | 66,000 00 |
| Treasury Department..... | 76,500 00 |
| Weights and Measures Department..... | 49,500 00 |
| Total City Maintenance..... | <u>\$40,273,963 04</u> |

| County Maintenance. | |
|--|-----------------------|
| Department. | Allowances. |
| Suffolk County Courthouse, Custodian..... | \$270,000 00 |
| County Buildings..... | 105,000 00 |
| Jail..... | 250,000 00 |
| Supreme Judicial Court..... | 62,000 00 |
| Superior Court, Civil Session, General Expenses..... | 430,000 00 |
| Superior Court, Civil Session, Clerk's Office..... | 190,000 00 |
| Superior Court, Criminal Session..... | 500,000 00 |
| Probate Court..... | 32,000 00 |
| Municipal Court, City of Boston..... | 485,000 00 |
| Municipal Court, Charlestown District..... | 34,000 00 |
| East Boston District Court..... | 32,000 00 |
| Municipal Court, South Boston District..... | 34,000 00 |
| Municipal Court, Dorchester District..... | 45,200 00 |
| Municipal Court, Roxbury District..... | 105,000 00 |
| Municipal Court, West Roxbury District..... | 40,000 00 |
| Municipal Court, Brighton District..... | 22,500 00 |
| Boston Juvenile Court..... | 29,500 00 |
| District Court of Chelsea..... | 39,500 00 |
| Registry of Deeds..... | 190,000 00 |
| Index Commissioners..... | 25,500 00 |
| Insanity Cases..... | 38,120 00 |
| Medical Examiner Service, Northern Division..... | 25,000 00 |
| Medical Examiner Service, Southern Division..... | 17,300 00 |
| Associate Medical Examiner Service, Northern Division..... | 2,150 00 |
| Associate Medical Examiner Service, Southern Division..... | 1,800 00 |
| Miscellaneous Expenses: | |
| Auditing Department..... | 18,000 00 |
| Budget Department..... | 3,000 00 |
| Collecting Department..... | 1,400 00 |
| Sheriff..... | 4,375 00 |
| Treasury Department..... | 6,265 00 |
| Granite Avenue Bridge..... | 3,300 00 |
| Social Law Library..... | 1,000 00 |
| Penal Institutions Department: | |
| Office Expenses..... | 41,000 00 |
| House of Correction..... | 500,000 00 |
| Steamer "Michael J. Perkins"..... | 65,000 00 |
| Total County Maintenance..... | <u>\$3,648,910 00</u> |

| Revenue Departments. | |
|--|-----------------------|
| Department. | Allowances. |
| Printing Department..... | \$350,000 00 |
| Departmental Stationery and Postage..... | 120,000 00 |
| City Record, Publication of..... | 30,500 00 |
| Public Works Department: | |
| Water Service..... | 1,000,000 00 |
| Water Income Division..... | 225,000 00 |
| Traffic Tunnel..... | 225,000 00 |
| Collecting Department: | |
| Water Division..... | 95,000 00 |
| Total Revenue Departments..... | <u>\$2,045,500 00</u> |

Referred to the Committee on Appropriations.

APPOINTMENT OF JOHN A. BREEN.

The following was received:

City of Boston,
Office of the Mayor, January 25, 1938.
To the City Council.

Gentlemen,—Under the provisions of section 26-L, chapter 121, of the General Laws, as amended by chapter 449 of the Acts of 1935, I hereby appoint John A. Breen of 30 Bay State road, Boston, to be a member of the Boston Housing Authority for the term expiring January 8, 1943.

I recommend the concurrence of your Honorable Body in this appointment and the adoption of orders in the form herewith submitted.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That the appointment by his Honor the Mayor of John A. Breen to be a member of the Boston Housing Authority for the term ending January 8, 1943, he, and the same hereby is, confirmed and approved; and he it further

Ordered, That John A. Breen he, and hereby is, appointed to be a member of the said Boston Housing Authority for the term ending January 8, 1943.

Laid over a week under the law.

APPROPRIATION FOR SURVEY OF MUNICIPAL ACTIVITIES.

The following was received:

City of Boston,
Office of the Mayor, January 29, 1938.
To the City Council.

Gentlemen,—I submit herewith and recommend for passage by your Honorable Body an order appropriating the sum of \$25,000 to be expended under my direction for a survey of the various municipal activities.

It has become evident that the time at my disposal is no more than sufficient to allow for the proper consideration of the problems of municipal government in their larger aspects, but in the few weeks that have elapsed since my inauguration I have observed enough to be convinced that a very considerable improvement can be made by an intensive study of each department and its relations with the other departments and the citizens.

If the Council sees fit to grant the appropriation it is my intention to avail myself in this survey of the experience and knowledge both of outside persons trained in modern business methods and of the many efficient employees of the city.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That the sum of \$25,000 be, and hereby is, appropriated, to be expended under the direction of the Mayor, for a survey of the municipal departments, methods and activities, for the purpose of ascertaining what economies can be effected; said sum to be charged to the appropriation for Contingent Fund, when made.

Referred to Executive Committee.

CLOSING OF HAYMARKET SQUARE AND EAST BOSTON RELIEF HOSPITALS.

The following was received:

City of Boston,
Office of the Mayor, January 31, 1938.
To the City Council.

Gentlemen,—It perhaps may be somewhat unusual to address you on a matter that has not as yet been officially brought to your attention, but the circumstances seem to require it.

The proposed closing, in accordance with the vote of the hospital trustees, of the Haymarket Square and East Boston Relief Hospitals has been seized upon by headline seekers.

The necessity of contracting the city's expenditures wherever possible in order to be able to continue the payment of the wages of the city employees and supporting the poor without unduly increasing the tax rate is a matter concerning which the objectors apparently have little information and care even less.

With a full consideration of all the elements involved, I have come to the conclusion that this is one of the services that in present circumstances can well be dispensed with and I propose to dispense with it, notwithstanding the threats of a march upon City Hall.

It is well, perhaps, that this matter has come up so early in my administration, as it gives me an opportunity to make it plain that it is only one of many which represent a serious effort on my part to reduce expenditures in all the departments of the city.

No proposal which contracts the services to which the people have become accustomed can be advanced without encountering to some extent, reasonable opposition. That kind of opposition subsides when it becomes evident that the proposed contraction is justified by the conditions. With manufactured and demagogic opposition I do not propose to concern myself.

We are faced with the following propositions: The expenditures of the city must be materially reduced to prevent a tax rate so high that thousands more of our home-owners will be dispossessed of their homes. To keep the tax rate within reasonable limits it is my purpose to adopt every possible economy in order to avoid the immediate discharge of hundreds of employees or the material reduction of the wages of all of them.

From the past record of the City Council I am led to believe that they have the utmost regard for the best interests of the home-owners and rent-payers, the city employees, and the recipients of public welfare, and for that reason, I assume that they will be loth to lend assistance to any movement which is calculated to injure those interests.

Respectfully,
MAURICE J. TOBIN, Mayor.

Referred to Executive Committee.

TRAFFIC LIGHTS, SAVIN HILL AVENUE.

The following was received:

City of Boston,
Office of the Mayor, January 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Traffic Commissioner relative to your order to install traffic lights at the junction of Savin Hill avenue and Dorchester avenue, Ward 13.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, January 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 10, 1938, which reads as follows:

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

This Commission has long recognized the serious traffic condition which exists at this intersection and has previously recommended the installation of a traffic signal. However, there are no funds available to this commission at present for such an installation.

The approximate cost of a traffic signal in this intersection would be \$2,500.

All traffic signals which have been installed in the City of Boston from 1929, when the first automatic device of this kind was erected, to the present time, have been paid for from special appropriations specifically designated for the purpose. These appropriations have been loan orders or funds transferred to an appropriation from other available sources. No provision has ever been made in the yearly budget of this department for the erection of traffic signals. Pursuant to this policy, the initiative in creating such funds has rested with the Mayor and City Council.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

PETITIONS REFERRED.

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

Claims.

- W. R. Barnett, for refund on ash tickets.
- Marion and Daniel A. Driscoll, for compensation for damage to property and injuries caused by City Hospital ambulance.
- Anna L. Glueck, for compensation for injuries caused by injection administered by Health Department doctor.
- Max J. Hirsch, for compensation for damage to property at 179-183 West Eighth street, caused by hlockage of sewer.
- Humholdt Baking Company, for compensation for damage to truck by city truck.
- Domenic Intravaia, for compensation for damage to property by city wagon.
- Lee's Express, for compensation for damage to truck caused by being struck by gate of Charles Street Jail.
- Lawrence Lyons, for compensation for injuries caused by fall on steps of Child Street City Yard.
- Anna and Alfred A. Oster, for compensation for damage to property at 11 Cypress street, caused by laying of water pipe.
- Antonio Palumbo, for compensation for damage to car by city car.
- Burnett S. Rosenhloom, for compensation for damage to car caused by an alleged defect in Charles street.
- C. Soagnuolo, for compensation for damage to property at 272 Hanover street, caused by city employees.
- John J. Sullivan, for compensation for injuries caused by an alleged defect in Westville street.
- M. E. Sweeney, for compensation for damage to car by city truck.
- Anna F. Trahey, for compensation for damage to property at 3 Lark street, caused by defect in sewer.

Executive.

- Petition of Mary E. Connelly to be paid an annuity on account of death of her husband, Patrick F. Connelly, late member of Fire Department.
- Petition of Margaret E. Williams to be paid an annuity on account of the death of her husband, John H. Williams, late member of Fire Department.
- Petition of Alice M. Ralph to be paid an annuity on account of death of her husband, John G. Ralph, late member of Police Department.
- Petitions for children under fifteen years of age to appear at places of public amusement, viz.:
 Concetta M. Caggiano, at East Boston High School Hall, February 25.
 Murray Allen, at Jordan Hall, April 9.

APPOINTMENTS BY THE MAYOR.

- Notices were received from the Mayor of the following appointments:
 William A. Motley, Jr., 90 Montehello road, Jamaica Plain, to be member of Board of Street Commissioners, for term ending January 2, 1939.
- Andrew J. Dazzi, 103 Greaton road, West Roxbury, as member of Board of Commissioners of School Buildings, for term ending, December 1, 1938.
- Severally placed on file.

ANNUAL REPORT OF FINANCE COMMISSION.

The following was received:

Boston, January 31, 1938.

To the Honorahle the City Council.

Gentlemen,—I have been authorized by the Finance Commission to transmit to your Honorable Body the inclosed copy of the annual report of the Finance Commission for the year 1937.

Yours very truly,

ROBERT E. CUNNIFF,
 Secretary.

City of Boston,

Finance Commission, January 31, 1938.

To the Honorahle the Senate and House of Representatives in General Court Assembled.

In accordance with section 18 of chapter 486 of the Acts of 1909, the Finance Commission of the City of Boston submits its annual report for the year 1937.

I. ORGANIZATION OF THE COMMISSION.

There has been one change in the membership of the commission since the last annual report was issued. Under date of April 13 Philip A. Chapman resigned as a member and on April 14 his Excellency Governor Charles F. Hurley designated David Lasker as chairman. Mr. Lasker was appointed to fill the unexpired term of Mr. Chapman, said term expiring August 9. On August 25 Mr. Lasker was sworn in for a new term as chairman, said term to end August 9, 1942.

II. APPROPRIATIONS AND EXPENDITURES.

The amount appropriated for the Finance Commission for the year 1937 was \$50,000. The expenditures were as follows:

| | |
|---|--------------------|
| Permanent employees..... | \$31,241 00 |
| Printing and hindng..... | 831 73 |
| Transportation of persons..... | 79 87 |
| Light and power..... | 159 38 |
| Rent..... | 5,103 75 |
| Telegrams, telephone and messenger service..... | 426 03 |
| Cleaning..... | 72 00 |
| Stenographic, stencils..... | 34 55 |
| Fees..... | 20 00 |
| Photographing and hlueprinting..... | 1 50 |
| Miscellaneous items and repairs..... | 51 13 |
| Electrical equipment..... | — |
| Furniture and fittings..... | 9 00 |
| Office equipment..... | 85 00 |
| Library equipment..... | 94 00 |
| Office supplies..... | 524 03 |
| Ice..... | 49 50 |
| Miscellaneous supplies..... | 14 11 |
| Electrical supplies..... | — |
| Hire of experts, etc., in special investigations..... | 10,825 08 |
| | <u>\$49,621 66</u> |
| Amount appropriated..... | \$50,000 00 |
| Amount expended..... | 49,621 66 |
| Balance unexpended..... | <u>\$378 34</u> |

III. THE WORK OF THE COMMISSION.

A new administration of city affairs has already been started upon its four-year course. In his first month in office, the new Mayor has devoted considerable time to an effort to make the people realize the serious financial predicament of the city. He has not spared words in making a dismal picture of the condition of the city treasury and the slim prospects of improvement for a long time to come. On the other hand, the outgoing Mayor hoasted of achievement of financial improvement during his four years, and counseled his successor not to take too seriously the alarm expressed in some quarters for the future financial safety of the city, claiming that it is not so hadly off as some would have the people think.

There need be no honest difference of opinion on the present status of the city's financial situation if one will hut examine the figures. First of all the city owes more today than ever before; and secondly, the maintenance cost of the city is greater today than ever before. These are the two principal items which determine the size of the hill the taxpayers must meet.

On the other side of the picture, there are also two main items. One is the property valuation of the city which must bear the major part of the increased debt and maintenance hurden, and the other is the city's ability to collect the taxes it levies. Property valuations, already down \$380,000,000 since 1930, are still shrinking and not even the pleas of a distraught Mayor will stop further substantial drop in valuation of downtown property. If the size of the hill the taxpayers have to meet is going higher each year, and the property valuation of the city, over which the hill is spread, is steadily decreasing it is obvious that the rate of taxation must go higher.

Then there is the matter of the ability of the city to collect the taxes it levies.

Before the depression the city for many years collected each year between 85 and 90 per cent of the current year's assessments. In addition each year the city collected several millions of previous

years' assessments which, when received, were free cash and served to make up for the 10 to 15 per cent delinquency in the current assessment.

Since the depression, collections in Boston have fallen off another 15 per cent. The lowest point reached in the depression was 70 per cent. In 1936 this was improved to 74 per cent, but in 1937 it was back again to 72½ per cent approximately. Meanwhile the back taxes asset has been wiped out. The city has borrowed up to and beyond the amount of the back taxes that is collectible.

This inability to collect more than 70-odd per cent of the current levy is more significant when it is remembered that the date of assessment has been advanced from April 1 to January 1 and taxes are payable in June instead of October as formerly.

Because discussion of this situation will take place many times before the Legislature this year, it is timely now to point out these important facts:

1. The total requirements of the city for all purposes (city, county and debt appropriations, state warrants and Metropolitan assessments) as fixed in the determination of the tax rate, increased from approximately \$77,100,000 in 1933, the last year of the Curley administration, to \$80,700,000 in 1937, the last year of the Mansfield administration.

2. The net requirements (the above, less revenues, other than from taxes and plus over-levy) increased from approximately \$58,500,000 in 1933 to \$61,500,000 in 1937.

3. The valuations, real and personal, as fixed at the end of the fiscal year (original assessments less abatements) have decreased from \$1,746,703,400 in 1933 to \$1,573,980,400 in 1937.

4. Real and personal property valuation, against which the levy is assessed, has therefore decreased \$172,723,000 in four years.

5. The tax rate has risen from \$32.80 per \$1,000 supplemented by \$7,600,000 of borrowed money in 1933 to \$38.70 supplemented by \$5,250,000 of borrowed money in 1937.

6. The true rate of 1933 was therefore approximately \$37.20 as against a true rate of approximately \$42 in 1937.

7. The outstanding debt of the city at the end of 1933 was \$149,315,000, made up as follows: net debt, \$135,815,000; outstanding tax anticipation notes, \$13,500,000. At the end of 1937 the outstanding debt of the city was \$160,416,000, made up as follows: net debt, \$130,156,000; outstanding tax anticipation notes, \$23,000,000; tax title loans, \$7,260,000.

8. This means, therefore, that the present new Mayor has a total of \$11,101,000 more debt to face upon taking office than did his predecessor when he took office.

9. The amount of the debt outstanding at the end of 1933 that had been borrowed for distinctly current expenses (generally regarded as the worst class of municipal debt) was \$7,600,000. Of this same class, the amount outstanding at the end of 1937 was approximately \$15,877,000.

It does not improve this picture any to record the fact that at the present time there are abatement cases pending before the Tax Appeals Board which represent over \$870,000,000 in valuations, or approximately \$30,000,000 in taxes. This means that the owners of a very substantial part of the total real estate of the city have already gone to the extent and expense of entering an appeal from the assessors' valuations. In many other cases, abatements are sought, but formal appeal from assessors' rulings has not yet been taken. When all these cases are finally adjusted and consequent new and lower valuations recorded, the total valuation of the city will be substantially lowered and the rate of taxation correspondingly increased.

Likewise it makes the picture worse to record the fact that the many expansions of municipal service that took place late in the last year of the Mansfield administration greatly increased the maintenance costs of the city. These include the operation of the new buildings at the City Hospital, the increases in number of firemen and policemen, and the additions to the pay roll by new appointments, transfers, increases, etc., which were authorized by the wholesale at the end of 1937.

From perusal of the above figures it is plain to see that the new mayor has much to worry about, and that any contrary opinion cannot possibly be based on accurate statement of the facts.

1. Unfinished City Business.

During the administration which ended January 3, 1938, the Finance Commission investigated and exposed many instances of extreme waste and extravagance in the operation of the city departments. At this time the commission believes it is proper to point out that in a number of these cases the administration expired without any serious effort by any official agency to restore to the city treasury any part of the unconscionable profits obtained by contractors and others. Action has been taken to punish the offenders in only one instance of the many reported upon in which the fraud against the city amounted to many tens of thousands of dollars. Yet in the administration recently terminated there were more instances of gross fraud revealed than in any previous similar period since the creation of the Finance Commission. Cases of major importance reported upon which are still pending are as follows:

a. The Investigation of Coal Contracts for Welfare Recipients and for City Departments.

In the summer of 1936, the Finance Commission held public hearings at which it was disclosed that a number of coal contractors violated in many respects the specifications of their written contracts with the city. As a result, welfare recipients were supplied with a grade of coal from which they could obtain no heat, and an inferior grade of fuel was delivered to city buildings. The Finance Commission recommended a black-list of the contractors involved; recommended discontinuance of the employment of the particular chemist who had contracted to check up on the quality of the coal delivered; urged the adoption of a method of obtaining a supply of coal similar to the plan worked out by the Anthracite Institute of America, and in operation generally outside Boston; and recommended that the city decline to pay the contractors for the coal delivered until the courts fixed the amount and ordered payment.

Despite public denials by the city officials and the representatives of the accused coal companies of charges of delinquencies developed at the hearings and despite also the many times repeated finding of the Mayor that the Finance Commission was actuated by a political motive, all of the commission's recommendations were adopted. The coal companies involved were black-listed, a new chemist took over the analysis of city coal, and a plan substantially in accordance with the recommendations of the Anthracite Institute of America was worked out and adopted. Bills totaling approximately \$85,000 for the coal delivered remain unpaid at the present time. Suits for recovery have been entered in court by the accused contractors and have already proceeded to trial before a master.

In this case, the outgoing administration eventually made a real effort to obtain justice for the city. It is cited here mainly for the purpose of recording that the recommendations of the Finance Commission were subsequently adopted, though their merit was publicly disputed when originally made.

b. The Investigation of the Snow Removal Cost.

In its report to the Legislature in 1937, the Finance Commission pointed out that no action had been started at that time by the city administration to punish those responsible for the gross fraud perpetrated against the city in the winter of 1935 and 1936 by snow removal contractors. The Finance Commission had exposed this fraud in a series of public hearings and in a number of reports to the Mayor and Council.

The determination of the administrative heads to disregard the findings of the Finance Commission in its investigation of that fraud continued to the very end of the administration.

Neither the Mayor nor his Public Works Commissioner ever attempted to explain the discrepancy between the removal cost per inch of \$5,456 in 1933 and the removal cost per inch of \$24,770 in the winter of 1935. The United States Weather Bureau recorded 50.5 inches of snowfall in 1933 and only 45.1 inches in 1935.

The expenditure of city funds to an extent approaching \$2,000,000 for snow removal in one season of two real snowfalls, as is revealed by the records, at any time warrants suspicion. In this case the examination and analysis of the records by the Finance Commission revealed ample evidence of fraudulent billing to the city and fraudulent collection of money.

All the facts were recorded before the commission publicly and later placed before the Mayor. These facts, pieced together, made out the story of one of the most serious instances of looting of the city treasury in the history of the city.

The charges developed by the Finance Commission remain undisputed except for the expression by one city official of a feeble "It can't be so!" Yet when the first contractor involved in the case to be called before the Finance Commission appeared without supporting records, he claimed all his books and papers were stolen from a parked automobile the night before he was due, by subpoena, to show them to the commission.

The attitude of the city officials to that suspicious happening was so complacent that the exact method then followed of avoiding disclosure of records was adopted in another case later which has been given wide publicity. The Finance Commission is satisfied that it was resorted to because examination of the books would have revealed what had become of the profits, and that disclosure of who received parts of the profits would have constituted a greater scandal.

Unfortunately for the taxpayers, the Finance Commission cannot institute legal proceedings either for the punishment of offenders or for the recovery of fraudulent payments. The commission, however, placed the evidence collected in this case before the Mayor and the District Attorney, either of whom could initiate court action, and both of whom owed it to the taxpayers to take action.

c. The White Fund Investigation.

In the spring of 1937, charges were made in the City Council by two councilors that a firm known as the Codman Hill Construction Company had been given a monopoly of repair and renovation work on the extensive White Fund properties. These properties are managed by a Board of Trustees, of which the Mayor is chairman. The charges further recited that there had been serious overcharge in the payment for work performed. Unanimously, the City Council asked the Finance Commission to find the facts.

The story of the investigation as told by a special counsel, George R. Farnum, through the testimony of witnesses under oath at public hearings, and later in written reports, is now well established in the recent history of Boston. It is an amazing recital of negligence, extravagance and graft, and yet was illustrative of practices of city contractors repeatedly reported upon by the Finance Commission.

A house builder in the suburbs, previously unknown in city work, who was the sole owner and operator of a firm that came into existence for the first time at the beginning of the Mansfield administration, because of close business and personal relations with the Mayor was given practically carte blanche orders to renovate and repair the extensive real estate holdings of the George Robert White Fund. His work and the bills therefor were accepted substantially unchecked by any Fund representative. Payment to the extent of \$124,419.94 had been made from the White Fund when the investigation began. Bills for other work for city departments to the extent of \$211,555.85 had also been paid. Less than 3 per cent of this large total was for work that was obtained in competition.

When his books and records were subpoenaed he claimed they were stolen from a parked automobile at midnight in an outlying section of the city then under development. He and his accountant were sent to jail by a judge of the Superior Court, who refused to believe their story.

In the middle of the presentation of the evidence gathered by the commission's counsel, and despite public proffer of aid by the White Fund Trustees in unravelling the story, the Mayor—chairman of the board—suddenly appeared at the public hearings of the Finance Commission in the role of defendant and as friend and defender of the contractor. Thereafter, he offered repeated and violent obstruction to the presentation of the case by the commission's counsel.

It is unnecessary here to relate in detail the evidence offered which supported the charges made by the City Council. On the last day of the hearings which extended over a five-month period and occupied a total of forty-one days in actual public hearing of testimony, the Mayor announced that he believed the contractor was honest in his dealings with the White Fund and the city, that the work was properly performed and the pay-

ments made were just, and that therefore he would take no action against anyone involved in the investigation.

A majority of the members of the Finance Commission, sitting in this case solely as judges of the evidence presented, accepted the conclusions of its special counsel that the White Fund had been defrauded by the Codman Hill Construction Company; that the Mayor was primarily responsible for allowing this fraud; that the other trustees of the White Fund were in a large measure also to blame because they failed to assume the responsibility that was properly theirs and accordingly failed to perform the duties expected of them as trustees of the Fund; and that the subordinate agents of the trustees were lax in the ordinary supervision and inspection of the work and in the checking of the bills therefor. The majority of the commission requested the Mayor and the District Attorney to take action accordingly.

It is noteworthy that when the Mayor went out of office on January 3, 1938, despite previous public clearance by him of the Codman Hill Construction Company of all charges of wrongdoing, bills amounting to \$13,111.09 presented by the Codman Hill Construction Company for work allegedly performed for the White Fund last spring were still unpaid. Payment was withheld by order of the Mayor as requested by the Finance Commission.

Other substantial benefit came from the investigation. The City Auditor directed and supervised the installation of the safeguards devised for the protection of the city in city departmental accounting into all Trust Fund administration; the White Fund Trustees assumed the responsibility in the management of the trust intended by the donor of the White Fund and by the city government in the acceptance of the bequest; and new checks were provided for the ordering and accounting for city work in all departments as dictated by the experience of the White Fund management and the city departments in the transactions under investigation.

The three cases described above are still unfinished business of the City of Boston. As already stated, in the first, sufficient action has been started to protect the taxpayers' interests. In the snow removal case and in the White Fund case, there remains much that the city can and should do, and since it was not done by the administration which ended on January 3, 1938, it comes within the province of the new administration to force action.

2. Other Investigations.

a. Contract Work.

During the past three years the Finance Commission has on many occasions brought to public notice the fact that work costing the city millions of dollars was parceled out to a selected list of contractors without competition, and often without definite control of the prices to be paid, or the extent of the work to be done. What is now generally known to have been done in the White Fund case was going on simultaneously in many other cases in the city departments. The Finance Commission reports record many such instances. As early as July 27, 1935, in a report signed by E. Mark Sullivan, Alexander Wheeler, Jacob J. Kaplan, W. Arthur Reilly and Philip A. Chapman, the Finance Commission brought particular instances of favoritism, with consequent loss to the taxpayers, to the attention of the Mayor and pointed out that the practice was becoming general in the city departments. In April, 1936, in another report, the Finance Commission published figures showing how much business particular contractors had received under that practice. In almost every case of such favoritism, the contractor selected was one to whom the administration was obligated for political assistance.

As shown in many reports, a small group obtained the major part of the work under methods of ordering that were questionable. Payments therefor were also frequently questionable.

It is a well-established fact that when those employees whose duty it is to supervise work for the city see one or two firms getting all the work without having to compete with other contractors for the award, they know that these firms have such influence with the administration that it would be unwise to press too hard for quality in work performed or for prices fair to the taxpayers.

The result is that usually the city pays a high price for an inferior job, or pays too much for a good job.

The Finance Commission recognizes that there are emergency cases where there must be deviation from a strict policy of award to the lowest bidder in competitive advertised bidding. The commission merely protests against the granting of all work, or the major part of it, in the manner allowable only in emergency cases.

To frame a statute to control this situation to such an extent that rank favoritism would be outlawed is probably impossible. It depends on the honesty of the intentions of the administration whether the spirit of the charter in this relation is respected. The commission desires to point out that it has not been respected, and to express the hope that the new administration will direct department heads to respect the spirit as well as the letter of the charter,—in other words, to abolish all special lists of contractors or firms, except the list of those who have been discovered to be bent on looting of the city treasury.

b. Tax Abatements.

The Finance Commission agrees with the opinion expressed by many informed agencies that property in Boston is generally overvalued. This applies particularly to much of the business property. However careful the assessors may have been to set fair values originally, it is a well-known fact that subsequently the values thus determined were often ruthlessly disregarded when it came time to declare the tax rate. Each year when the requirements to be paid by taxation have been figured out and portended a substantially higher rate if levied against original valuations, the assessors rushed out to discover spots where they could place the extra load, and many valuations were increased for that reason alone. Often it has happened that after this unscientific determination of assessed value had served the purpose of keeping the rate down, attorneys were able to obtain abatements without serious opposition.

In the granting of abatements it is also well known that a small group of attorneys and political office holders have obtained the major part of the abatements granted. In many of these cases the new values allowed have been questioned from within and without the Assessing Department. It has become the custom for some lawyers and some politicians to establish a friendly connection with the administration or with the Assessing Department. Such a connection when made is frequently advertised among property owners who desire abatements.

As an illustration of the usual results, the Finance Commission offers a typical case. An attorney connected with a large law firm was recently retained by the city to prosecute a single case. He was led to believe that under the provisions of the charter act he was required to notify the Finance Commission each time his office settled a tax abatement case. In the six or seven months he was acting for the city, approximately thirty-five notices came to the Finance Commission from him that he or his office had just settled an abatement case.

There are a few other lawyers who have had many more cases. There have also been cases where the lawyer retained by the property owner did not have sufficient influence to obtain an abatement and was forced to bring a politician to his aid, whereupon the abatement was granted.

Complaint of the work of the assessors is general. Business property owners claim that they are improperly treated. Some can obtain abatements, others cannot. Residential property owners complain justly that because their holdings are individually small consideration is often denied them.

All who have studied the situation are agreed that valuations in Boston are in a mess, and that it will require a major effort to reorganize the Assessing Department, personnel and work, so as to bring order out of the chaos that exists.

For the past four years the total of the abatements granted have exceeded the amount of the overlay in the levy. The overlay is intended by law to cover abatements. A higher overlay would have meant a higher tax rate. Though the law and sound financial practice required the inclusion of the overlay deficit in the next year's tax levy, for four years the city has neglected this

requirement. As a result there is now a total overlay deficit of approximately \$2,000,000 facing the new mayor.

c. Charter Changes.

(1) Election of Mayor.

The Finance Commission reported to a committee of the Legislature in 1937 in favor of a charter change proposed whereby a mayor may be a candidate to succeed himself, that is, may enter the contest for the mayoralty that takes place in the fourth year of his administration. Because such a change is again proposed this year in a new bill, the commission desires to affirm to the Legislature itself the recommendation made to the Committee on Cities last year.

The commission believes any change now made should include the restoration of the recall provision as it was originally written into the charter amendments of 1909. That act provided for a vote by the people on the question of recall at the end of the second year of the four-year term.

(2) Effect of Abolition of Tax Limit.

The commission desires also to point out that none of the advantages have materialized that were promised by the proponents of the bill presented in 1936 for the abolition of the tax limit in Boston. The act when adopted removed the legislative check on the city's taxation right, or spending right.

This has not yet resulted in better or speedier budget making, which was the principal reason given for the change. In fact, the commission and all the civic agencies interested in municipal affairs complained more than ever before of the inadequacy and incompetence of the budget making of 1937, the first year without a legislative tax limit in Boston. Removal of the limit now permits a mayor, at the time of submission of the so-called maintenance budget, to conceal from the public and the City Council the major part of his financial planning, if indeed he makes a comprehensive plan at all. No comprehensive plan was ever formulated in 1937. Where formerly both the Legislature and the City Council had opportunity to question a mayor about city finances before his spending right was determined, now the Legislature is out of the picture entirely and the City Council comes into it only in such fashion that a real comprehensive study is impossible before the principal appropriations are made.

The Finance Commission has tried to impress on those interested that a real budget covers much more than simply the amount the departments will spend for maintenance. The whole financial program for the year should be included in this budget.

Budget making has actually gone backward instead of forward in the time the change has been in operation.

(3) Abolition of Unpaid Administrative Boards.

On several occasions in the past, the Finance Commission has recommended the substitution of single-headed business management of specific departments for management by unpaid boards of trustees. Because four of the membership of five of the Finance Commission always serve without pay, the members of the commission have had first-hand experience with and knowledge of the difficulty of giving time out of the ordinary hours of professional employment to public management.

The Public Welfare Department today spends around \$12,000,000 and the detail connected with the work of spending is greater perhaps than that of any other branch of the public service. The department transacts its business with 25,000 families or more. Its work deals with the care of over 100,000 persons. Surely a business so vast and involving so many cannot best be carried on by persons who can give only part time because they must earn their livings in other occupations. In 1930 the Finance Commission first advocated a single paid commissioner of public welfare to replace the board of twelve unpaid overseers. The present Finance Commission unanimously still favors the change in the interest of efficiency. Efficiency in this department will distinctly mean economy.

The City Hospital—the Finance Commission has complained many times of the inefficiency of the management of the City Hospital Department under its current type of organization, namely, a board of unpaid trustees, and a medical superin-

tendent. Specific items of inefficiency, waste, extravagance and other types of maladministration in great numbers have been reported upon.

The Finance Commission has found that in the present type of hospital management, responsibility is divided and business administration is lacking. The commission in 1934 recommended the creation of the position of business manager.

The Hospital Department now consists of two large institutions which cost Boston last year well over \$4,000,000. The work of administration requires close and continuous observation by the responsible head. The Board of Trustees is now by law the responsible head of the department, but unpaid. The membership of the board consists of men busily engaged in other lines of endeavor, every one of whom has made a real sacrifice in giving time to the duties of trustee.

The present Finance Commission concurs with the recommendation of the earlier commission, which advocated the placement of the management of this department in the hands of one man paid a salary commensurate with the responsibility of the position.

c. The City Planning Board.

The Finance Commission believes the city should have a planning department. It recognizes that many who have served as members on the existing planning board had much to offer the city and were willing to give freely of their time even though unpaid. Unfortunately, no regular, constant use has been made of the department, though there have been distinctly valuable achievements by it from time to time.

At times the board has been relied upon by city administrators for its planning wisdom and engineering skill. At other times, and for greater periods of time, the board has been practically ignored by the mayor in office.

Already in a report to the city government, the Finance Commission has pointed out many ways in which a planning department can be of real service to the city. As a minimum of its importance, with distinct saving to the city, it can be to the present set-up of departments all that the old engineering department was to the city departments before 1910, the engineering service for all departments.

The city has continuously for a long period wasted large sums of money by carelessness of planning, and in some cases by deliberately poor planning of municipal improvement by scattered engineers and architects. There has been no central agency for engineering check-up of plans and projects. Many listed as engineers on the city pay roll who draw plans and supervise construction are not technically trained engineers at all. Under the existing methods, it pays hired engineers and architects to make mistakes in planning. Correcting mistakes means new plans and new construction, and engineers and architects receive commission on these changes just as though no blame could be attached to them for the mistakes.

Department heads often order work without complete knowledge of the facilities to be obtained. Part way through the construction, often after completion of construction, it is found necessary, as a result, to make over the plans or tear out the new construction.

A central capable engineering department through which all construction plans should be required to pass will save the taxpayers' money. A capable central engineering department will be of great assistance to a mayor in solving departmental construction problems and in planning for both capital investment and regular upkeep.

The head of such a department should be expected to give full time. The Finance Commission believes, therefore, that the unpaid planning board should be replaced at the head of the department by a capable engineer, paid a salary commensurate with the value of the service he should be asked to provide for the city.

This has been part of the recommendation of the Finance Commission relating to the demand for consolidation of departments.

d. Comptroller of City Accounts.

For many years the Finance Commission has advocated a change in the charter which would make the auditor independent of all spending agencies and make him free to exercise his best judgment in the matter of the approvals of city expenditure. It has seemed to the commission

that providing for this independence might be accompanied by consolidation of the finance departments: *i. e.*, the Auditing, Collecting and Treasury Departments *in toto* and the major portion of the Assessing Department.

Such a consolidation would save some money and would promote efficiency. To include within this new department the operation of such proposed activities as purchasing of all city needs and the operation of the Printing Department would defeat the purpose of an auditing department.

The substantial advantage to be gained by change from the present set-up would be obtainable only by giving guarantee to the head of that department that no political power can injure him if he performs his full duty. As long as the auditor is removable at will by the Mayor, as is permissible under the present charter, his work is subject to the good will of not only the Mayor, but of other department heads and politicians who might have more influence with the Mayor than the auditor. It is a fact that there have been occasions in the past when city auditors have hesitated to interfere in matters properly within their purview because interference might mean loss of prestige in the mayor's office, and eventual loss of position.

The matter of how an independent auditor can be obtained has been a subject of discussion in Boston as elsewhere. New York solved the problem successfully by providing for the election of the comptroller. The Finance Commission has already gone on record as in favor of the New York plan.

The commission urges legislation to provide the city with an independent auditor and is willing for the time being to leave it to the city government to decide what departments should be merged with the Auditing Department.

e. Pay Roll Changes at the End of an Administration.

It has become the custom in City Hall, when an administration was expiring, for the employees of the mayor's office who are appointed from outside civil service, to be crowded into civil service jobs in other departments. When no vacancies existed, new places have been made for them. It has also become customary for an outgoing administration to reward special service to the administration by out-of-time and out-of-scale increases in pay, promotions, transfers, etc. The service rewarded is not always service that benefited the taxpayers.

To the continued indulgence of these customs may be attributed to some extent the steady growth in number and pay roll rate of city employees.

At the end of the Mansfield administration this practice was indulged to a greater extent than ever previously. It has been officially estimated that the eleventh hour changes of 1937 added approximately \$200,000 to the annual rate of the city pay roll. It is fair to state that pay roll changes involving many more thousands were sought but funds for transfer to cover them were not available.

Many of these additions were most aggravating. All of them placed an unfair burden on the new mayor. Many of them created great dissension in city departments and among civil service registrants whose rights were disregarded because political favorites were pushed ahead of them.

By statute such changes are prohibited in every municipality in the state except Boston. In Boston they were accomplished by the assumption by the Mayor of greater authority than was intended under a charter provision which permits financial transfers "in closing the accounts of the year." Positions and salaries not established by joint action of the Mayor and City Council in budget appropriations were created by assumption of emergency power after November 15. Appropriations made for other distinct purposes were transferred to provide funds for previously unauthorized changes.

The figures of the 1937 costs will contain little evidence of this extra burden. Most of them were purposely deferred until so late in the year that in 1937 they cost little. If continued in 1938 for the full year, a substantial amount will be added to the previous pay roll rate.

Since the adoption of the segregated budget, which an earlier Finance Commission sponsored, the Finance Commission has advocated the establishment of a definite date in the year for pay roll

changes and the authorization of them in the annual budget. The commission, in its own affairs, has scrupulously observed this policy. For many years the policy was pretty generally followed in other departments. The eleventh hour changes of 1937, however, were all in conflict with sound financial policy and constituted a public scandal.

To put an end to this practice, the commission urges legislation for Boston similar to the legislation which governs such matters in all the other municipalities of the state.

THE LIST OF REPORTS ISSUED BY THE FINANCE COMMISSION IN 1937 FOLLOWS.

- January 5, 1937.—To the Mayor. Report upon evasions of the charter requirements in regard to contract awards in the Public Works Department.
- January 6, 1937.—To the Mayor. Protest against the purchase by the city of a new site for a municipal gymnasium.
- January 20, 1937.—To the Mayor. Relative to the inadequacy of the fire alarm system at the Boston City Hospital.
- February 1, 1937.—To the Mayor. Investigation of charges made by a former municipal assessor in relation to specific abatements of taxes.
- February 11, 1937.—To the Committee on Cities. Recommending an amendment to the present Boston Charter Act relating to candidacies for mayor.
- February 15, 1937.—To the City Council. Transmitting statistics in relation to the amount of funds available and spent from loan accounts for the sewerage works in Boston.
- March 9, 1937.—To the City Council. Relative to the annual budget.
- March 30, 1937.—To the Mayor. Relative to the operation of the East Boston traffic tunnel.
- April 2, 1937.—To the Mayor and City Council. Extravagance in cost of restoration of the Dillaway House in Roxbury.
- April 7, 1937.—To the Mayor. Relative to award of a contract without advertisement for steel furniture for the clerk of the Superior Civil Court.
- April 7, 1937.—To the Mayor and City Council. In relation to suits against municipalities of the Commonwealth for collection of money due Boston for welfare aid.
- May 8, 1937.—To the Mayor. Relative to investigation of the expenditures of the George Robert White Fund.
- May 10, 1937.—To the Police Commissioner. Relative to the investigation of the George Robert White Fund expenditures.
- May 15, 1937.—To the Mayor. Request that payment to the Codman Hill Construction Company from the George Robert White Fund be withheld indefinitely.
- September 15, 1937.—To the City Council. Transmitting a copy of first report by George R. Farnum, Esquire, summarizing the evidence produced in the investigation of transactions of the Codman Hill Construction Company with the George Robert White Fund and other city departments.
- September 22, 1937.—To the City Council. Transmitting a copy of the second report by George R. Farnum, Esquire, summarizing the evidence produced in the investigation of transactions of the Codman Hill Construction Company with the George Robert White Fund and other city departments.
- September 29, 1937.—To the City Council. Transmitting a copy of the third report by George R. Farnum, Esquire, summarizing the evidence produced in the investigation of transactions of the Codman Hill Construction Company with the George Robert White Fund and other city departments.
- October 6, 1937.—To the City Council. Transmitting a copy of the fourth and last report of George R. Farnum, Esquire, summarizing the evidence produced in the investigation of transactions of the Codman Hill Construction Company with the George Robert White Fund and other city departments.
- November 5, 1937.—To the City Council. Report by a majority of the commission in respect to the investigation of the transactions of the Codman Hill Construction Company with the George Robert White Fund and other city departments.

November 5, 1937.—To the City Council. Minority report by the chairman in respect to the same matter.

December 2, 1937.—To the Mayor. In opposition to the proposed acquisition of the plant of the Dedham and Hyde Park Gas and Electric Company in Hyde Park.

Respectfully submitted,
 DAVID LASKER, Chairman,
 E. MARK SULLIVAN,
 ROBERT ROBINSON,
 JAMES E. MAGUIRE,
 JOSEPH SCOLFONETTI,
 The Finance Commission.

ROBERT E. CUNIFF, Secretary.

The foregoing report has been approved by me except wherein it is in disagreement with the findings made by me and state in a minority report relating to the investigation of the transactions of the Codman Hill Construction Company with the George Robert White Fund. I have based my conclusions in respect to the other matters contained in the report upon examination of the reports and records of the commission.

DAVID LASKER, Chairman.

Placed on file.

MINORS' LICENSES.

Applications were received from fifty-two newsboys and five hootblacks for minors' licenses. Granted under usual conditions.

REPORT OF COMMITTEE ON RULES.

Coun. GEORGE A. MURRAY, for the Committee on Rules, submitted the following:

1 Report on order (referred January 24) for a public hearing on matter of housing—recommending passage of order in accompanying new draft, viz.:

Ordered, That the Committee on Rules consider the subject of the part cipation of the City of Boston in any past or future Federal or State housing projects in the city, with authority to give public hearings, the expense to be charged to the appropriate item in the appropriation for City Council expenses.

Report accepted; order passed.

AMBULANCE TRANSPORTATION FOR WORLD WAR VETERANS.

Coun. DOWD offered the following:
 Ordered, That the Superintendent of the Boston City Hospital be requested, through his Honor the Mayor, to provide ambulance transportation to the Naval Hospital or to the Soldiers' Home in Suffolk County to any World War veteran when requested to do so by any duly elected official of any veterans' organization.

Passed under suspension of the rule.

RETENTION OF EAST BOSTON RELIEF STATION.

Coun. IRWIN offered the following:
 Ordered, That his Honor the Mayor request the trustees of the Boston City Hospital, not to close the East Boston Relief Station and allow it to remain open as a permanent establishment.

Coun. IRWIN—Mr. President, I want first of all to say that I appreciate the position that the Mayor is in at the present time. I appreciate the shortage of revenue of the city, and the fact that he has to employ some drastic measures to obtain sufficient revenue. But I do want my fellow members of the Council to realize this. We have had that Relief Station in East Boston for close on to thirty years. It was placed there in the first place by reason of the need of such a station for the men working along the waterfront, the docks, the hoiler shops and other places, at different types of hard labor, and who were apt to suffer from accidents at any time. So far as publicity is concerned, I am not seeking it. In introducing this order I am acting above-board, simply doing what I consider my duty to

my constituents, many of whom have been appealing to me in this matter and thousands of whom are deeply interested in having the Relief Station retained. I have no desire to be quoted in the papers at all, but I have had occasion to see how the people of my district take this. The people of East Boston, 70,000 people, are absolutely opposed to doing away with that Relief Station. We are not like other districts of Boston. We are set apart from the rest of the city. The East Boston Tunnel argument may be used and you may be told how ambulances and pleasure cars can be rushed through that tunnel. I wonder how many of you gentlemen have been over to East Boston on race track day, when that tunnel is completely clogged, and when it is absolutely impossible to get through there in quick time. On the other hand, if the Chelsea Bridge is closed, you can see the difficulty that there would be in getting medical attention in case of emergency. It is claimed that there would be a saving of \$50,000 by closing up that hospital. Where is the saving? Not a person employed there is to be discharged, and there is no equipment being abolished. So, as I see it, the only possible saving to any amount would be the saving in heating the place. I think we all realize this, also, that if one death occurred over there, just one death, because of lack of medical attention such as can be afforded at the present time, every one in the City of Boston would rise up against our Mayor. I want to be with him; I will also be with him, if possible, in saving money. But I think none of us, including the Mayor, believes in saving money at the expense of human life. I sincerely hope that this order will be passed. We have had that hospital over there for thirty years, and no one else in all that time has seen fit to oppose it or desire its removal. It serves 31,000 cases a year. It may be that a few selfish doctors in town would like to see it abolished, but it certainly should not be done at the expense of the unfortunates in that section, with the good work it has been doing and that it is doing all the time. I don't blame the Mayor. I don't believe that he took the initiative in this matter. That was probably done by the trustees, who don't know conditions in East Boston. We have over there at time the congestion caused by the Revere race track. We have the airport, the Cunard docks, the Bethlehem Company, and machine shops and other establishments where hard-working men are in constant danger of accidents, as a result of which they will need immediate treatment. As I say, the institution has been over there for thirty years, has done wonderful work, handles a very large number of cases every year, and is certainly most urgently needed. I trust that the order will pass, in the interest of the lives and limbs of the inhabitants and working people of that section.

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

Coun. DOWD—Mr. President, I want to go on record in favor of the councilor's order, and against the closing of the relief stations.

The order stood referred to the Executive Committee.

RETENTION OF HAYMARKET RELIEF STATION.

Coun. FITZGERALD offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, not to close the Haymarket Relief Station but to keep it open as a permanent institution.

Coun. FITZGERALD—Mr. President, I don't want to go into a lengthy speech, but the same reasons apply in favor of the retention of the Haymarket Relief Station that apply to the East Boston Relief Station. Nobody is criticizing the Mayor, and I trust that nobody will think that the remarks I am making are directed at the Mayor. The trustees are the ones to whom I am addressing my remarks. They are the ones who are hide-bound, and, so far as the Mayor and the City Council are concerned in this matter, the trustees are supreme. That has been decided; that decision has been handed down. They are supreme. They can only be removed if charges are preferred against them, and they are entitled to certain consideration that is not given to other trustees. So they are absolutely supreme in this matter, and all we can do is to draw attention to what they are doing. They are the supreme masters of the situa-

tion. That has been decided. Under the act incorporating the trustees of the City Hospital of the City of Boston, under the Statutes of 1880, chapter 174, they have the right to take and hold real and personal estate which may be given, or granted to and accepted by the trustees for the benefit of the City Hospital or any purpose connected therewith, and they have the right to make general rules and regulations and have the care and control of the hospital and all branches thereof and everything that goes with it. So they are absolutely in charge in this matter, and the Mayor has simply got to follow what they say, unless he is inclined to prefer charges against them. I sincerely trust that the trustees will reconsider their action. I know that the sections of many members of the Council do not have hospitals, but I think in those sections there is a different situation. Here we are in the heart of the city, where thousands and thousands of people are congregated together, many of them engaged in hazardous work, and when anything happens they need immediate care. There were something like 31,000 cases, I am informed, treated at the Relief Station during 1937. When we are told that these cases can be taken to the City Hospital, I think many do not understand conditions at the City Hospital at the present time. Many do not seem to understand that it was the original intention that the City Hospital should be used only by the poor of Boston, by people who could not afford private hospitalization, and for relief patients. But that is not the way that it has worked out. If the trustees want to save the city a lot of money, let them find out how many people are having the use of the Boston City Hospital who can afford to pay for care in a private hospital and who are thereby taking room that might be devoted to the poor of Boston, for whom the hospital was supposed to be used. In my opinion, hundreds of thousands of dollars annually are lost to the City of Boston because of this free use of the hospital by people who can well afford to pay. I appreciate the fact that the Mayor of the city is having a hard road to travel, that he wants to reduce expenses, and that it is always a hard thing for any Mayor to reduce expenses. Most of us get into trouble trying to help some friend who invariably becomes our enemy, no matter how hard we try to please him, and that applies not only to Mayors but to Governors and Presidents, and many people in such positions have occasion to find that they have been given bad advice by some whom they consider their friends. I have no doubt that the trustees have advised the Mayor as to what they intend to do. They are, of course, all men of standing, who have given a great many years of service to the hospital, but, as in the case of other men, many times they are mistaken. In this case they are trying to put a mistaken idea into effect, and are using the Mayor to try to put it through. If the City Hospital were being used at all times as it was intended to be used, that might be one thing, but yesterday there were 136 people sleeping in cots at the City Hospital, while no doubt many of the beds were being occupied by people who could well afford to enter a private hospital and have the services of an outside doctor. That is not a very nice situation in this great city of ours. And so I say to the trustees that it might be well for them to make a proper survey of the present hospital and find out what is radically wrong there, not at this time striking a blow at the other hospitals. Again, no matter how much they may want to close the Haymarket Station let me say that the money that was used for that place was left by a public-spirited citizen by the name of Wyman. He was a wealthy man and wanted to do something for the poor of Boston, so he left money for hospital purposes, and that money went to the Haymarket Relief Station. If that is closed, the money cannot be used for any other purpose. It would have to be used for hospital purposes. It was for the proper care of the poor of this city that that institution was started, and the reports that have been issued show how poor and rich have been helped in emergencies, when stricken on the streets of this city. I say that the trustees should look into this question very carefully before taking the action that they now propose. That institution was started as I have said, and it has served a very useful purpose in the community. I don't know how many members of this body have gone down there and looked it over, but it is certainly one of the best institutions of the kind I have ever been in. You could not

in a private hospital find greater cleanliness and things more up to the minute. It is far superior, in the way it is maintained, to many hospitals where they spend millions, and you cannot find in any other part of the city or the state a better regulated institution than the Haymarket Hospital. I have stated how it was started under the Wyman will and if the trustees attempted to dispose of it in this summary way, I think you will find plenty of people—and it requires only ten taxpayers—to go into court and test the question. So I feel that in taking this action we are starting at the wrong end. We are all apt at times to be stampeded, to lose our heads entirely on matters that come up here like this on the spur of the moment, and it is always wise to consider carefully and act slowly. You cannot stop machinery from moving; you must go ahead. You cannot always listen to bankers or business men, but must also consider other people in the community. And there are a lot of things to be considered here. There are men who will be protected by civil service, there are actions which are governed and limited by statute, and there are many things to be looked into before you take radical action upon a matter of this kind. Of course, we are all anxious to see the Mayor pull successfully through his four years. We all know that there are many things that can be done. I think he has started in the right direction, and we are all standing back of him in what he is trying to do for the interests of our city. I do feel, in a matter of this kind, however, that there should be a proper survey. Naturally, there should be a careful investigation before such action is taken but here there has apparently been no investigation, and nobody has been invited in for consultation. The proposed closing up of these hospitals seems to be the result of a one, two, three snap judgment. It is very easy to say, right off, that things of this sort should be done, but this is a matter that should be given some consideration. I certainly also sympathize with the people of East Boston in regard to their station, and I am convinced that the Haymarket Relief Station, doing the work it does, should be continued.

Coun. WILSON—Mr. President, I don't believe either the gentleman from Ward 1 (Coun. Irwin) or the gentleman from Ward 3 (Coun. Fitzgerald) should offer any apology for attempting to defend the hospital service they have received in the districts they represent. Of course, in the Dorchester district, where we have neither relief station nor White Fund Health Units, we have had to appreciate the difficulty of living in a district five or six miles from the City Hospital with no such service available. So I know what it is to be without a relief station. I have been following with interest the Haymarket Relief situation. I believe we have to make up our minds that the Mayor of Boston at the present time has his back to the wall and try to help him out, and realize that we are not sailing along as we did in the palmyer days, when the question of discontinuance of the Haymarket or East Boston Relief Stations earlier came up, at a time when I voted against discontinuance of both stations. It is all very well to say with one voice that we want to back up the Mayor and with another voice that each item that he suggests in the direction of economy must be opposed, because particular interests are against it. I personally am inclined to believe at the present time, because automobile conditions have changed since the days when this question first came up and, second, because I realize that there is a White Unit available both in East Boston and in Councillor Fitzgerald's section—and I hope to see the time when this whole thing may be ironed out through some plan whereby those splendid units may be established in various parts of the city, and available to all—that at the present time the Mayor, with the problems which he has to face, is right. With my limited knowledge, I am personally strongly of the opinion, with no extensive medical or surgical facilities available at either station, that the proper place for a man who is injured on the streets of Boston is at the main hospital, where they have all the facilities and apparatus required and doctors who know their business. I disagree with the councillor from Ward 3 (Coun. Fitzgerald) that we can slide off from this situation by passing the buck to the Hospital Trustees. I realize that it is highly inexpedient for me to murmur a word of defence of the Mayor in his efforts, but I sincerely believe that, unless we see such an effort as is now being made carried through successfully, the

main hospital itself may eventually be closed up, and our Police Department and Fire Department reduced in personnel. I believe, in other words, that the Mayor of Boston must move, and move rapidly, if he is going to save the financial situation of Boston this year.

Coun. GALVIN—Mr. President, coming from one of the districts that will be affected by the closing of the Haymarket Relief Station, I have in the past few days interviewed various persons—longshoremen on the waterfront, freight handlers on the docks, and others—and they tell me what it has meant to them to be able to use the Haymarket Relief Station. I do not blame the Mayor for cutting down in some manner the budget of the City of Boston, but in this particular matter I am in favor of the orders offered by Councillors Irwin and Fitzgerald.

Coun. SHATTUCK—Mr. President, this Haymarket Relief Hospital was opened in 1899, and the East Boston Hospital a few years later. At the time when the Haymarket Hospital was opened, there were not half a dozen automobiles in the City of Boston. Since the East Boston Hospital has been opened the vehicular tunnel to East Boston has been put in operation, and I believe also the Elevated tunnel. There has also been a widespread introduction of the automobile. If either of those hospitals were not open and in operation today, nobody would think of building hospitals at either of those locations. It would be taken for granted that we would concentrate our hospital facilities at the City Hospital. There a person may receive every type of medical or surgical treatment known, and the most expert care in every specialty. The best treatment that can be afforded anybody anywhere is afforded at our City Hospital. And patients today can be brought to the City Hospital far more quickly than in the old days they could be brought to those relief hospitals. Furthermore, if it is so necessary to have hospitals at Haymarket square and in East Boston, why is it not necessary to have them in Brighton, Hyde Park, South Boston, West Roxbury and Dorchester, most of whose territories are at a far greater distance from the Boston City Hospital than the districts where these relief hospitals now are? We cannot have all the facilities we now have, pay all the wages we now pay, have all the employees we have now, refuse to reduce a single activity and make any progress at all in reducing the deficit of \$12,000,000 to \$15,000,000 that we have in our operating accounts. Every possible saving should be made, and those savings should come first that do not involve the discarding of any employee or the reduction of any necessary service. In addition to their going to the City Hospital, there will be an opportunity to transfer the present employees in these units to other hospitals in the city. And so, if we are going to back up the Mayor at all in his effort to close this gap in our operating budget, we should support him in this matter. If we are not going to back him up at all, perhaps this is as good an occasion to oppose his efforts in this and every other direction, and run straight into bankruptcy, as we are sure to do, if we are unwilling to curtail expenses in any respect. I certainly hope the Mayor will receive the support of the body.

Coun. LYONS—Mr. President, I am in favor of supporting the Mayor in this proposed closing of these hospitals. In the first place, while in some respects it may seem convenient to have these relief hospitals in those sections of the city, there are other things to be considered. To be sure, a patient might in a very short time be taken to these relief stations, but, on the other hand, there are not the facilities at those stations that there are at the central hospital, and in the present days of ambulances and automobiles the run to the City Hospital is one of not many minutes. Due to the inadequate facilities that they have in these relief hospitals, a patient who needed any care in an important way would have to be taken to the City Hospital after he had been taken to the Haymarket Station, and that would mean a delay. They are running at the main hospital at the present time a large Out-Patient Department to immediately handle all cases that are brought in from all parts of Boston, a department which is primarily for residents or those paying taxes in Boston. And in most cases, the sooner they get to the City Hospital, without the delay of being carried to the Haymarket Relief Hospital and then transferred, the better. There-

fore, I am heartily in favor of closing the Haymarket Relief Hospital. I think if any member here goes to the main City Hospital and inquires of the trustees or any of the doctors there, he will find that they are 100 per cent in favor of closing the Haymarket Relief Hospital. At the present time, when a doctor gets an appointment of three years, at some time in the three years he has to spend fifty days at the relief hospital and has to devote a part of the time to going out on ambulance calls, and I understand that in most cases, it results in the patient being taken to the City Hospital. I am with the Mayor in closing those relief hospitals. I have investigated the matter and know what I am talking about.

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

Coun. NORTON—Mr. President, if I may speak just a word, I, too, am in favor of the position taken by the Mayor. I know that if harm were to come to one child because of the closing up of the Haymarket and East Boston Relief Stations, Mayor Tobin would spend \$1,000,000 to keep them open. No Mayor could possibly be more sympathetic to the sick poor of Boston. But within ten minutes, sick and injured can reach the City Hospital from any part of these districts. We must stand with our Mayor in his attempt to save our city from the highest tax-load of a big city in all America. And I represent a district farther than any from the City Hospital and one that with its large industrial establishments—the B. F. Sturtevant Company, the Condit Manufacturing Company, the Tileston, Hollingsworth Company, the Loom Works, and others—needs emergency hospitalization as much as any. Every medical expert approves this idea. It takes two to three times as long to get from my section to the hospital as from these others. But if our city is to live, if our city pay rolls are to continue, if our poor are to be properly housed and fed, economies must be made somewhere. I am proud of the courage Mayor Tobin displays and amazed at the grasp that he has shown of city affairs. He represents a new day in the city's politics, the oncoming generation. He has the courage to face the facts.

The order stood referred to the Executive Committee.

ELECTION OF CITY CLERK.

Coun. ROSENBERG offered the following:
Ordered, That the Council now proceed to the election of a city clerk, to serve for the term of three years beginning with the first Monday in February, 1938, and until his successor is elected and qualified.

Coun. NORTON—Mr. President, I most enthusiastically second that order. I have been a member of the Council for some years and have never had the privilege, because of absence at the time, of voting for our present City Clerk in the past. I do wish to say at this time that I consider him the best informed man on city affairs that we have in this city, and my experiences and contacts with him have been among the most delightful of my life. Previously, when such a vote has been taken I have been absent or out of the room. It is, therefore, with extreme pleasure that I now second that order with all the enthusiasm at my command. I have often wished that I knew half as much about city affairs as our genial City Clerk knows, although I am sure that if I were here for fifty years I could not hope to rival him in that respect.

The Assistant City Clerk called the roll and each member responded as his or her name was called, voting for Wilfred J. Doyle to be City Clerk for the next three years.

President KERRIGAN—Twenty-two votes have been cast for Wilfred J. Doyle, and he is elected unanimously. (Applause.) The Chair desires to state that the City Clerk wishes me, in his behalf, to express his appreciation of the action of the Council. As usual he declines to make a speech. (Applause.)

ESTABLISHMENT OF ALCOHOLIC WARD IN HOSPITAL.

Coun. FITZGERALD offered the following:
Ordered, That the City Council Committee on Hospitals be requested to report to the City Council as to whether or not the establishment of an al-

coholic ward is contemplated on the floor directly below the Maternity Ward of the Boston City Hospital.

Referred to the Committee on Hospitals.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Max Levine (referred January 24) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor truck belonging to Sanitary Division, Public Works Department—recommending the passage of the accompanying order, viz.:

Ordered, That the sum of one hundred and seventy dollars (\$170) be allowed and paid to Max Levine in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

REPAIR WORK ON CITY-OWNED MOTOR VEHICLES.

Coun. WILSON offered the following:

Whereas, The expense to the City of Boston for motor vehicle repairs and care amounted to the tremendous sum of \$511,045.20 for the final three years of the administration of Mayor Nichols, and the sum of \$790,597.39 for the four years 1930-1933 under Mayor Curley, and over \$525,000 under Mayor Mansfield; and

Whereas, Improperly supervised truck repairs have frequently been an outstanding example of city waste, inefficiency, needless extravagance and political favoritism; and

Whereas, Motor parts are not only more promptly available, but procurable at very substantial national discount prices on work done direct by the makers of various motor vehicles now owned by the city;

Ordered, That his Honor the Mayor, as part of his economy plan, be requested to instruct the Public Works Department, the Park Department, and other divisions of the city government using city-owned motor vehicles, to arrange for any repair work not done by the city forces to be properly and economically done by the manufacturers of such trucks or other motor vehicles where such repair work or replacement facilities are locally available.

Coun. WILSON—Mr. President, I realize that this order, with its preambles, is set out at greater length than our new City Clerk usually likes, but I flatter myself that the Mayor of Boston, while he may not read our speeches made on the floor of the Council, may, when he has this paper in his hand, read the reasons set forth for an order of this kind in backing it up. Of course, those of us who have been in the city government for a number of years realize that, especially under a gang administration, the three easiest avenues for waste and corruption are, first, the so-called patch-paving contracts, second, the snow removal contracts, and, third,—an item seldom realized by the public,—the repairs on motor vehicles, not only in the Park Department but in the Public Works Department. It so happened that until the year 1927 the City of Boston failed to break down the budget so that there would be readily available these figures for truck repairs, and, therefore, not until 1927, under Mayor Nichols, did these figures clearly appear. Under the three last years of Mayor Nichols' administration the expense for motor vehicle repairs and care was over half a million dollars; in the next four years, under Mayor Curley, it was just under \$800,000; and under the late Mayor Mansfield the figure was over \$525,000, because the figures for 1937 are not yet completely available. Now, these figures,—over half a million, nearly \$800,000, and over half a million dollars under Mayor Mansfield with the figures available, represent a lot of money. I realize also that in an item not segregated as it should be, some of it is for rental paid for city trucks, a large part of which—all of which, as a matter of fact—should be in city-owned yards and on city property. But the chief item is for truck repairs. Just to lay the

cards on the table, you and I know that it is usually in the winter period that cars are shunted into repair shops at night. The story is that they want them back the next day or two days, but when the bill comes in the repairman has apparently in many cases almost rebuilt the automobile. The favorite procedure is to put a whole hind end on a car. I realize that there is leakage, loss and waste on the repair bills themselves, because it stands to reason, on that set-up that, even if the administration so desired, there cannot be any honest supervision with an eye to the best way to spend that money—and I know what automobile bills are, because I have paid some myself. I would like to know why the rule should not be applied by the city that is applied by the ordinary individual with his own car,—that if he has a Ford, White or Mack, a car or a truck of any outstanding manufacture, where there are local agencies available, why should not the city, like an individual, go to the repair shop dealing with the particular car, where there will be available the national discount prices, far and away ahead of the discount that any amateur or general repair man can possibly make? Therefore, in all seriousness, as a part of his program, dealing with an item on which the searchlight should be played, I feel that the Mayor may well consider this expenditure, running all the way from half a million dollars in one administration to \$800,000 in another, and over half a million in a third. I would therefore respectfully call this to the Mayor's immediate attention as a matter on which saving can be made in big money. I ask the passage of the order at this time.

The order was passed under suspension of the rule.

PAYMENT OF SPECIAL JUSTICES.

Coun. TAYLOR offered the following:

Ordered, That the auditor of the City of Boston be requested, through his Honor the Mayor, to alter the system of bookkeeping so that the Special Justices of the District Courts be paid twice a month instead of the present system of once a month.

Coun. TAYLOR—Mr. President, speaking to that particular order I am informed that, under the system at present in existence, the Special Justices are paid on the first of the month up to the tenth of the previous month, which means, anyway, a delay of about three weeks, and if conditions are such that they do not get their pay until the first of the succeeding month, they are back seven weeks in their salaries. I think the system should be changed so that the Special Justices will get their money at least twice a month.

The order was passed under suspension of the rule.

INTEREST ON MORTGAGES ON REAL ESTATE.

Coun. TAYLOR offered the following:

Resolved, That the City Council of Boston favor the enactment of legislation to compel banks to reduce the interest rate of mortgages on real estate to four and one half per cent.

Coun. TAYLOR—Mr. President, I am informed that there is now before the Legislature such a bill, to reduce the interest rate charged by the banks on mortgages to 4½ per cent. We are all aware of the fact that conditions have been such since the depression started that the income of every home owner has been greatly reduced, and are also aware of the fact that the home owners' expenses have been greatly increased. As a result, home owners find themselves in a position where they are very likely to lose their homes. Taxes have been increased and the interest rate on mortgages is such that they find themselves unable to pay it. In view of the fact that the banks receiving a charter from the United States have reduced their interest rate on savings from 5 per cent down to 1½ to 2½ per cent, I believe that this action should be required of other banks. The unwillingness of bankers to cooperate in furnishing small business men with loans at a reasonable rate of interest has been, I believe, one of the most important factors in keeping us in the de-

pression. I see no reason why the City Council should not go on record as favoring the enactment of this legislation.

The order was passed.

CUTTING OF WORK DONE BY WELFARE RECIPIENTS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor instruct the Public Welfare Board to cut off one day's work of each recipient of aid who work for their aid.

Coun. DOWD—Mr. President, this order has been introduced by me possibly half a dozen times during the past administration. Prior to the Mansfield administration, men working for \$10 or \$12 a week were compelled to work only three days, and then they could spend two or three days looking for outside work which would take them off of welfare. But under the Mansfield administration, the working days were all changed. A man getting \$10 a week would have to work four days, and would then have to spend the next day or the half day getting his pay; a man working for \$8 would work three days, and then have to spend a half day getting his money; a man getting \$12, \$13 or \$15 was compelled to work a five-day week and then go to the Welfare office and spend a half day getting his money. The result was that they had practically no time to look for outside work that would take them off relief. I say that 95 per cent of the men on public welfare today are there not because they want to be there, but through necessity, in order to get food and shelter for their families. I honestly believe that wise management of the Welfare Department would mean that the men when not actually at work should be given an opportunity to take time to look for outside work that would take them off welfare, and why, in the name of heaven, should they not be given a chance to look for such a job? When a man has worked a certain number of days, as required, why should he be put to the trouble of taking more time to collect his pay? I firmly believe that if his Honor the Mayor sees the wisdom of putting some such plan as I suggest into effect, the men will have time to look for outside positions which will take them off welfare and that the expense for welfare will thus be materially cut. There is another objectionable feature that should be considered in this same connection. You see some of these men on welfare alongside of civil service men who are getting \$5 and \$5.50 a day. I say that we should not expect men to work, as in some instances they do, for \$2.50 and \$2.75 a day, and to have that contact. I believe it would be a distinct advantage to the City of Boston, therefore, to allow these men on welfare a day off after their working period in order that they may try to get a position somewhere else, and get off welfare.

The order was passed under suspension of the rule.

USE OF FARMERS' MARKET.

Coun. CHASE offered the following:

Ordered, That his Honor the Mayor be requested to write to all of the lessees of stalls and basements in that part of Faneuil Hall Market called the Farmers' Market asking each lessee the following questions:

(1) Is it true that speculative non-farmers are illegally permitted to be within the confines of the Farmers' Market?

(2) If such conditions exist, have you called it to the attention of the former and present Superintendents of Markets?

(3) Have the former and present Superintendents of Markets given you their full cooperation in ridding the market of these non-farmers?

Ordered, That the Boston City Council appoint a committee of five to investigate the general conditions in that part of Faneuil Hall Market called the Farmers' Market.

Ordered, That his Honor the Mayor be requested to investigate the general conditions in that part of Faneuil Hall Market called the Farmers' Market.

Coun. CHASE—Mr. President, there has been a very serious charge that speculative non-farmers from all parts of Massachusetts come within the confines of that part of Faneuil Hall called the Farmers' Market. I believe it is the duty of the Council to see that this situation is done away with, because legitimate business men and taxpayers have a right here, whereas the so-called speculators have no right whatever to be within this market.

Coun. WILSON—Mr. President, I agree with the orders as presented, having in mind the fact that some years ago, it then being a part of the function of the Council to fix the terms of the leases in the market section, we were told that there should be a reduction in rentals to prevent the removal of the entire market district to Somerville, Medford or some place outside of Boston. The City of Boston relies, of course, for its prosperity on many industries, fish on Atlantic avenue and in South Boston, and other forms of business connected with our waterfront and with other parts of our city. Such business as we have had and are now having here, we should encourage and hold onto, if possible. One of such places is the market section of the Faneuil Hall district. I believe the holders of market leases from the city are entitled to the full protection of the city authority, and I agree that it is quite proper that the entire matter should be gone into because I, for one, and I think the other members of the Council would hate to see men who are paying such rentals to the City of Boston driven by unfair competition, in self defence, to Somerville, Medford or some other city.

The second order was referred to the Committee on Rules. The other two orders were passed.

FEDERAL PAYMENTS IN LIEU OF TAXES.

Coun. NORTON—Mr. President, last week I made a statement to the effect that there was a question whether or not the \$9,000 that the Federal Government was giving to the city in lieu of taxes could be legally accepted. I was asked the question specifically where, under the charter of the City of Boston, there was a provision prohibiting the government from making such a donation to the city. I understand the situation to be as follows. Under the law, property not used for certain philanthropic or charitable purposes is assessed and must pay the assessment. Now, the Federal Government comes in and gives us a certain amount, saying, "We are not giving you the full tax, but our payment is in lieu of taxes. We will make a gift to the city of so much money." There is a question in the minds of the legal fraternity whether we can accept that. The Federal Government comes in and says to the city, "We will give you in lieu of taxes a certain tentative amount, say \$9,000." Under the law there is a specific provision, generally speaking, that in lieu of taxes the Federal Government can make these donations to various cities. But in the minds of men who have studied the legal question involved here in Boston, under our present set-up and under our law, there is a question whether we can accept the gift, inasmuch as it is specifically stated that the gift will be in lieu of taxes, and to make that possible I understand that there may have to be a change in our law, and perhaps in the Federal law. In other words, we will say that buildings here are assessed for \$250,000. I am informed, on what I believe to be good authority, that the City of Boston has no right to accept a donation from the Federal Government in lieu of the taxes. If the Federal Government says, "We will give you this in lieu of taxes; we will make you a gift," it is a question whether individual taxpayers cannot go into court and prevent that gift being made.

RECESS.

On motion of Coun. DOWD the Council at 3.05 p. m. took a recess, subject to the call of the

Chair. The members reassembled and were called to order by President KERRIGAN at 3.24 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, 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.:

Concetta M. Caggiano, at East Boston High School Hall, February 25; Murray Allen, at Jordan Hall, April 9, recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on message of Mayor (referred today) regarding closing of East Boston and Haymarket Square Relief Stations—recommending that same be placed on file.

Report accepted; said communication placed on file.

3. Report on order (referred today) that Mayor request trustees of Boston City Hospital not to close the East Boston Relief Station—that same ought to pass.

Report accepted; order declared passed.

Coun. SHATTUCK doubted the vote and asked for the yeas and nays.

The order was passed, yeas 13, nays 7:

Yeas—Coun. Agnew, Carey, Dowd, Englert, John I. Fitzgerald, Galvin, Harris, Hutchinson, Irwin, Kelly, George A. Murray, Peter A. Murray, Rosenberg—13.

Nays—Coun. Chase, Lyons, Norton, Shattuck, Sullivan, Taylor, Wilson—7.

4. Report on order (referred today) that the trustees of City Hospital be requested, through the Mayor, not to close the Haymarket Relief Station—that same ought to pass.

The report was accepted, and the order was rejected, yeas 9, nays 11:

Yeas—Coun. Dowd, Englert, Fitzgerald, Galvin, Harris, Irwin, George A. Murray, Peter A. Murray, Rosenberg—9.

Nays—Coun. Agnew, Carey, Chase, Hutchinson, Kelly, Lyons, Norton, Shattuck, Sullivan, Taylor, Wilson—11.

5. Report on message of Mayor and order (referred today) appropriating \$25,000 for survey of municipal departments, methods and activities—that same ought to pass.

Report accepted; said order passed, yeas 20, nays 0; absent or not voting—Coun. Fish, Norton, —2.

ATTENDANCE OF MEDICAL OFFICER AND AMBULANCE.

Coun. GALVIN—Mr. President, in the event that the trustees of the Boston City Hospital and the Mayor are going to remain firm in their decision to close the Haymarket Square Relief Station and the East Boston Relief Station, I present the following order:

Ordered, That the Hospital Trustees arrange to have an ambulance with a medical doctor constantly in attendance at both the East Boston Relief Station and the Haymarket Square Relief Station.

Passed under suspension of the rule.

CONSTRUCTION OF LA ROSE PLACE.

Coun. AGNEW offered the following:

Ordered, That the Commissioner of Public Works and the Street Commissioners, through his Honor the Mayor, be requested to lay out and construct and surface La Rose place, Ward 21, said construction to be included in their W. P. A. program.

Passed under suspension of the rule.

Adjourned at 3.42 p. m., on motion of Coun. WILSON, to meet on Monday, February 7, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 7, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN presiding. Absent, Coun. Fitzgerald.

JURORS DRAWN.

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

Eighty-one traverse jurors, Superior Criminal Court, to appear March 7, 1938:

Nicholas Cipoletta, Ward 1; Alfred A. Woodside, Ward 1; Leo J. Murphy, Ward 2; Thomas J. Yard, Ward 2; Max L. Davidson, Ward 3; John DiFronzo, Ward 3; John J. Winston, Ward 3; Ross W. Hart, Ward 4; Louis M. Jacobs, Ward 4; Wald E. McGarry, Ward 4; Ernest H. Bradley, Ward 5; William C. Clark, Ward 5; Herbert C. Gibbs, Ward 5; Joseph Glaser, Ward 5; Natbaniel A. Roberts, Ward 5; Quincy A. Shaw, Ward 5; Herbert C. Blowers, Ward 6; John J. Harrington, Ward 6; Thomas H. McDevitt, Ward 6; Francis Owens, Ward 6; Charles H. Vyse, Ward 6; James A. Cassidy, Ward 7; George D. Crowley, Ward 7; Robert J. Fanning, Ward 7; Joseph Slace, Ward 7; Maurice F. Tierney, Ward 7; James Burns, Ward 8; William N. A. McGillivray, Ward 8; John J. Feeley, Ward 9; James P. Hanron, Ward 10; Thomas J. Reddington, Ward 10; William H. Brown, Ward 11; John L. Conway, Ward 11; Michael F. Cryan, Ward 11; Benjamin F. Burke, Ward 12; Morgan P. Phillip O'Connor, Ward 12; Joseph Halligan, Ward 13; Frank A. MacKay, Ward 13; James H. Molineaux, Ward 13; John J. Mooney, Ward 13; Joseph P. Dumar, Ward 14; Francis M. Healey, Ward 15; Joseph G. Kaufman, Ward 15; Eugene Ducebaney, Ward 16; Michael J. Flynn, Ward 16; Patrick F. O'Brien, Ward 16; Percy C. Brown, Ward 17; James A. Curley, Ward 17; Charles C. Hallaban, Ward 17; Rufus G. Pendleton, Ward 17; George E. Pooley, Ward 17; James J. Rogers, Ward 17; Joseph F. Barry, Ward 18; John F. Enos, Ward 18; John G. Galvin, Ward 18; James R. Goode, Ward 18; K. James Leonard, Ward 18; Rodman H. Lynch, Ward 18; John J. Sbanks, Ward 18; Harold A. Willard, Ward 18; Frederick A. Williams, Ward 18; Albertus L. H. Briggs, Ward 19; Archibald Miller, Ward 19; Charles F. Rickard, Ward 19; Francis T. Scott, Ward 19; Joseph J. Soucy, Ward 19; James E. Tobin, Ward 19; William C. Bleher, Ward 20; William M. Carlyle, Ward 20; Donald W. Carpenter, Ward 20; Edwin A. Kelly, Ward 20; Charles E. Reddisb, Ward 20; Paul A. Schindler, Ward 20; Willis W. Scott, Ward 20; Michael A. Bergin, Ward 21; George Fish, Ward 21; Richard G. Irwin, Ward 21; Thornton J. Smith, Ward 21; Caleb E. Wagner, Ward 21; Frederick W. Bennett, Ward 22; Francis J. Breslin, Ward 22.

Ninety traverse jurors, Superior Civil Court, to appear March 7, 1938:

John F. Hurley, Ward 1; James F. Kehoe, Ward 1; John J. Trainor, Ward 1; Paul L. Blackman, Ward 2; Arthur D. Aiken, Ward 3; William G. Campbell, Ward 3; Jacob Cutler, Ward 3; Edward R. Tower, Ward 3; Fred N. Williams, Ward 3; George H. Daws, Ward 4; Edward R. Plummer, Ward 4; Gustav H. Rotb, Ward 4; Herman J. Drewes, Ward 5; Arthur L. Gill, Ward 5; Charles H. Keyser, Ward 5; Alfred A. Lloyd, Ward 5; Charles E. Penniman, Ward 5; Max Shuman, Ward 5; Philip J. Abern, Ward 6; James W. Ferguson, Ward 6; Michael J. O'Donnell, Ward 6; Gustaf E. Anderson, Ward 7; John Donovan, Ward 7; Robert O. Hawkes, Ward 7; John P. Holt, Ward 7; Frank M. J. Kelley, Ward 7; Joseph A. Hartnett, Ward 8; Herbert Wetherbee, Ward 8; Aubrey J. Rourke, Ward 10; Harold S. Witham, Ward 10; Hugh F. Duffy, Ward 11; William J. Glynn, Ward 11; Archibald Livingstone, Ward 11; Warren L. McManus, Ward 11;

Joseph F. Weiland, Ward 11; George W. Coughlin, Ward 12; Lewice D. Evans, Ward 12; Charles J. Bennett, Jr., Ward 13; Thomas J. Grady, Ward 13; Joseph A. Holt, Ward 13; William Barkin, Ward 14; Saul J. Kauffman, Ward 14; Thomas J. O'Keefe, Ward 14; Barner Portnoi, Ward 14; Harold L. Ritche, Ward 14; Henry Taylor, Ward 14; Thomas Zusan, Ward 14; Charles K. Gibson, Ward 15; James E. Hurley, Ward 15; William W. Cheever, Ward 16; Patrick L. Cummins, Ward 16; William L. Dwyer, Ward 16; Luther B. Harvey, Ward 16; Randall J. Hurley, Ward 16; Matthew J. Kenney, Ward 16; Albert W. Soderberg, Ward 17; Robert E. Warbin, Ward 17; Harry A. Zimmerman, Ward 17; Rupert W. Boles, Ward 18; Carl Oscar Hogberg, Ward 18; Hugh A. McLellan, Ward 18; Timotby J. McSweeney, Ward 18; John W. Marshall, Ward 18; James Joseph Montague, Ward 18; Martin J. Scully, Jr., Ward 18; Joseph Barron, Ward 19; Howard W. Burnett, Ward 19; Patrick Connolly, Ward 19; Thomas H. Copell, Jr., Ward 19; Adolph F. Gotthardt, Ward 19; Walter E. Rogers, Ward 19; Julius A. Ullrich, Ward 19; Peter W. Walsh, Ward 19; Clarence W. Dowling, Ward 20; Kenneth W. Hamilton, Ward 20; Perley A. Keach, Ward 20; Roswell Miller, Ward 20; Paul F. Morse, Ward 20; Eugene D. Nickerson, Ward 20; George E. Plugge, Ward 20; William C. Sebaefer, Ward 20; Ralph D. Townsend, Ward 20; William H. Howard, Ward 21; Theodore R. Kelley, Ward 21; Jeremiab J. McCarthy, Jr., Ward 21; Frank E. Anderson, Ward 22; Charles S. Moran, Jr., Ward 22; Michael M. Moran, Ward 22; George P. McHugh, Ward 22; John W. Quinn, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Weigbers of Goods; Theodore F. Walker, 55 Central avenue, Everett; George S. Wilbur, Jr., 89 Salmon street, West Roxbury.

Laid over a week under the law.

REIMBURSEMENTS OF RENTALS ILLEGALLY COLLECTED.

The following was received:

City of Boston,
Office of the Mayor, February 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter of February 3, 1938, from Henry J. Parkman, Jr., Corporation Counsel, relative to your order concerning the prosecutions for reimbursement of rentals illegally collected by individuals from city-owned property.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, February 3, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I received a memorandum from your office dated January 24, 1938, with which was submitted a copy of the following order passed by the City Council:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council in detail what steps, if any, have been taken in prosecutions for reimbursement of rentals illegally collected by individuals from city-owned property, specifying in each case:

a. The street and street number of the parcel involved.

b. The present exact status of each proceeding.

c. The amount collected in each case, if any, especially with reference to the tax title property at 767 East Fourth street, South Boston."

With reference to the premises 126 West Sixth street, South Boston; 42, 44, 46, 48 A street, South Boston; 27 Silver street, South Boston; 124 West Sixth street, South Boston; 767 East Fourth street, South Boston, Mr. Frank T. Horgan collected the sum of \$1,393.66. He claims to have expended the sum of \$894.09 for

repairs and miscellaneous items. He also claims to be entitled to the sum of \$144.46 as commission.

Several conferences have been had with Mr. Horgan, but no definite arrangements to settle this claim have been reached. Suit has been brought against Mr. Horgan, and the case is still pending.

With reference to No. 8 and 10 Pitts street, one Kate Bloomberg collected the sum of \$870. Several conferences have been had with Mr. H. Murray Pakulski, her attorney. He denies liability on the part of his client. Suit has been brought against Kate Bloomberg and the case is still pending. I understand that Miss Bloomberg is a straw for Bernard Goldfine, against whom suit has not yet been brought, but will be within the next few weeks. These two cases should be tried together.

With reference to the property No. 1 and 1A East Lenox street and No. 1011 Tremont street, one Samuel Blackman collected the sum of \$48. Several conferences have been had with Mr. Blackman who denies liability on his part. Suit has been brought, and the case is still pending. Recovery of the \$48 in this case is doubtful as the defendant is not financially responsible.

With reference to No. 1480 Tremont street, Roxbury, the Whistle Company of America is supposed to have collected the rent after the tax title had been foreclosed. The tenant failed to cooperate with the City of Boston, and we do not know the amount of rent collected by the said Whistle Company of America. This case is still under investigation and up to date we have not been able to contact any officer of the corporation.

Very truly yours,

HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

ELEVATED SERVICE ON NEWTON-BRIGHTON-WATERTOWN LINE.

The following was received.

City of Boston,
Office of the Mayor, February 3, 1938.

To the City Council.

Gentlemen,—I transmit herewith letter from Edward Dana, President and General Manager of the Boston Elevated Railway, relative to your order concerning the service on the Newton-Brighton-Watertown line.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Elevated Railway,
January 31, 1938.

Mr. W. T. Doyle,
Assistant Secretary, Mayor's Office.

Dear Sir,—Since the receipt of your letter of January 13, with order of the City Council, counts have been taken of the riding on the Newton-Brighton-Watertown line. The accompanying statement shows the service to be adequate to meet the riding requirements. There was only one fifteen-minute period outbound when the riding was excessive, but it was preceded by a fifteen-minute period when the riding was comparatively light. The schedule provides total seats substantially in excess of passengers carried.

The service will be carefully watched and any necessary adjustments made to meet the requirements.

Very truly yours,
EDWARD DANA,
President and General Manager.

SUMMARY OF TRAFFIC COUNT, JANUARY 27, 1938.

| OUTWARD. | ROUTE 3,200. PARK STREET TO WATERTOWN, TAKEN AT BLANDFORD STREET INCLINE. | | | | ROUTE 3,200. PARK STREET TO WATERTOWN, AT BRIGHTON AND COMMONWEALTH AVENUES. | | | |
|--------------------------|---|--------|--------|-------|--|--------|-------|-----|
| | Cars. | Seats. | Pass. | Av. | Cars. | Seats. | Pass. | Av. |
| 6 a. m. to 6.30 a. m. | 2 | 108 | 40 | 20 | 2 | 108 | 44 | 22 |
| 6.30 a. m. to 7 a. m. | 4 | 224 | 90 | 23 | 3 | 168 | 83 | 28 |
| 7 a. m. to 7.30 a. m. | 4 | 224 | 217 | 54 | 4 | 224 | 169 | 42 |
| 7.30 a. m. to 8 a. m. | 5 | 280 | 348 | 69 | 5 | 280 | 304 | 61 |
| 8 a. m. to 8.30 a. m. | 8 | 448 | 346 | 43 | 7 | 392 | 263 | 38 |
| 8.30 a. m. to 9 a. m. | 12 | 672 | 441 | 36 | 10 | 560 | 347 | 35 |
| 9 a. m. to 9.30 a. m. | 14 | 784 | 137 | 9 | 14 | 784 | 98 | 7 |
| 9.30 a. m. to 10 a. m. | 7 | 392 | 87 | 12 | 10 | 560 | 84 | 8 |
| 10 a. m. to 10.30 a. m. | 7 | 392 | 135 | 19 | 7 | 392 | 132 | 19 |
| 10.30 a. m. to 11 a. m. | 6 | 336 | 109 | 18 | 6 | 336 | 122 | 20 |
| 11 a. m. to 11.30 a. m. | 6 | 336 | 147 | 24 | 6 | 336 | 110 | 18 |
| 11.30 a. m. to 12 m. | 6 | 336 | 149 | 24 | 5 | 280 | 156 | 32 |
| 12 m. to 12.30 p. m. | 6 | 336 | 180 | 30 | 7 | 392 | 196 | 28 |
| 12.30 p. m. to 1 p. m. | 5 | 280 | 170 | 34 | 5 | 280 | 159 | 32 |
| 1 p. m. to 1.30 p. m. | 6 | 336 | 241 | 40 | 7 | 392 | 234 | 33 |
| 1.30 p. m. to 2 p. m. | 6 | 336 | 205 | 34 | 5 | 280 | 190 | 38 |
| 2 p. m. to 2.30 p. m. | 9 | 504 | 328 | 36 | 9 | 504 | 241 | 27 |
| 2.30 p. m. to 3 p. m. | 8 | 448 | 293 | 36 | 8 | 448 | 255 | 32 |
| 3 p. m. to 3.30 p. m. | 10 | 560 | 384 | 38 | 11 | 616 | 485 | 44 |
| 3.30 p. m. to 4 p. m. | 7 | 392 | 278 | 39 | 6 | 336 | 341 | 37 |
| 4 p. m. to 4.30 p. m. | 7 | 392 | 271 | 38 | 10 | 560 | 566 | 57 |
| 4.30 p. m. to 4.45 p. m. | 6 | 336 | 403 | 67 | 2 | 112 | 183 | 92 |
| 4.45 p. m. to 5 p. m. | 6 | 336 | 480 | 80 | 8 | 448 | 501 | 63 |
| 5 p. m. to 5.15 p. m. | 6 | 336 | 356 | 59 | 4 | 224 | 219 | 55 |
| 5.15 p. m. to 5.30 p. m. | 6 | 336 | 598 | 100 | 6 | 336 | 368 | 61 |
| 5.30 p. m. to 5.45 p. m. | 6 | 336 | 425 | 71 | 10 | 560 | 734 | 73 |
| 5.45 p. m. to 6 p. m. | 4 | 224 | 331 | 82 | 5 | 280 | 320 | 64 |
| 6 p. m. to 6.15 p. m. | 6 | 336 | 490 | 81 | 4 | 224 | 338 | 85 |
| 6.15 p. m. to 6.30 p. m. | 3 | 168 | 189 | 63 | 5 | 280 | 202 | 40 |
| 6.30 p. m. to 7 p. m. | 6 | 336 | 317 | 53 | 5 | 280 | 269 | 54 |
| 7 p. m. to 7.30 p. m. | 5 | 280 | 304 | 61 | 5 | 280 | 303 | 61 |
| 7.30 p. m. to 8 p. m. | 4 | 224 | 255 | 64 | 4 | 224 | 201 | 50 |
| 8 p. m. to 8.30 p. m. | 4 | 224 | 203 | 51 | 3 | 168 | 128 | 43 |
| 8.30 p. m. to 9 p. m. | 4 | 208 | 211 | 53 | 4 | 212 | 163 | 41 |
| 9 p. m. to 9.30 p. m. | 4 | 208 | 184 | 46 | 5 | 260 | 211 | 42 |
| 9.30 p. m. to 10 p. m. | 4 | 208 | 201 | 50 | 5 | 260 | 215 | 43 |
| 10 p. m. to 10.30 p. m. | 4 | 208 | 191 | 48 | 3 | 156 | 125 | 42 |
| 10.30 p. m. to 11 p. m. | 4 | 208 | 172 | 43 | 5 | 260 | 188 | 38 |
| 11 p. m. to 11.30 p. m. | 3 | 156 | 200 | 67 | 4 | 208 | 179 | 45 |
| 11.30 p. m. to 12 p. m. | 5 | 260 | 260 | 52 | 5 | 260 | 240 | 48 |
| | 237 | 13,156 | 10,366 | ..... | 239 | 13,260 | 9,666 | |

| INWARD. | ROUTE 3,200. WATERTOWN TO PARK STREET, TAKEN AT BLANDFORD STREET INCLINE. | | | | ROUTE 3,200. WATERTOWN TO PARK STREET, AT BRIGHTON AND COMMONWEALTH AVENUES. | | | |
|------------------------------|---|--------|--------|-------|--|--------|-------|-----|
| | Cars. | Seats. | Pass. | Av. | Cars. | Seats. | Pass. | Av. |
| 6 a. m. to 6.30 a. m..... | 3 | 168 | 100 | 33 | 3 | 168 | 135 | 45 |
| 6.30 a. m. to 6.45 a. m..... | 2 | 112 | 102 | 51 | 2 | 112 | 75 | 38 |
| 6.45 a. m. to 7 a. m..... | 2 | 112 | 75 | 37 | 2 | 112 | 107 | 54 |
| 7 a. m. to 7.15 a. m..... | 3 | 168 | 171 | 57 | 2 | 112 | 120 | 60 |
| 7.15 a. m. to 7.30 a. m..... | 2 | 112 | 137 | 68 | 3 | 168 | 202 | 67 |
| 7.30 a. m. to 7.45 a. m..... | 4 | 224 | 237 | 59 | 5 | 280 | 302 | 60 |
| 7.45 a. m. to 8 a. m..... | 4 | 224 | 254 | 63 | 4 | 224 | 253 | 63 |
| 8 a. m. to 8.15 a. m..... | 6 | 336 | 387 | 64 | 4 | 224 | 277 | 69 |
| 8.15 a. m. to 8.30 a. m..... | 6 | 336 | 515 | 85 | 8 | 448 | 634 | 79 |
| 8.30 a. m. to 8.45 a. m..... | 6 | 336 | 483 | 80 | 8 | 448 | 686 | 86 |
| 8.45 a. m. to 9 a. m..... | 6 | 336 | 497 | 82 | 4 | 224 | 222 | 56 |
| 9 a. m. to 9.30 a. m..... | 9 | 504 | 483 | 53 | 9 | 504 | 493 | 56 |
| 9.30 a. m. to 10 a. m..... | 6 | 336 | 325 | 54 | 6 | 336 | 306 | 51 |
| 10 a. m. to 10.30 a. m..... | 5 | 280 | 240 | 48 | 5 | 280 | 269 | 54 |
| 10.30 a. m. to 11 a. m..... | 6 | 336 | 311 | 51 | 6 | 336 | 306 | 51 |
| 11 a. m. to 11.30 a. m..... | 6 | 336 | 345 | 57 | 6 | 336 | 326 | 54 |
| 11.30 a. m. to 12 m..... | 6 | 336 | 278 | 46 | 6 | 336 | 249 | 42 |
| 12 m. to 12.30 p. m..... | 6 | 336 | 306 | 51 | 5 | 280 | 260 | 52 |
| 12.30 p. m. to 1 p. m..... | 6 | 336 | 252 | 42 | 7 | 392 | 341 | 49 |
| 1 p. m. to 1.30 p. m..... | 5 | 280 | 179 | 35 | 5 | 280 | 250 | 44 |
| 1.30 p. m. to 2 p. m..... | 7 | 392 | 234 | 33 | 9 | 504 | 228 | 25 |
| 2 p. m. to 2.30 p. m..... | 10 | 560 | 304 | 30 | 10 | 560 | 322 | 32 |
| 2.30 p. m. to 3 p. m..... | 10 | 560 | 294 | 29 | 9 | 504 | 175 | 20 |
| 3 p. m. to 3.30 p. m..... | 7 | 392 | 242 | 34 | 7 | 392 | 217 | 31 |
| 3.30 p. m. to 4 p. m..... | 8 | 448 | 243 | 30 | 7 | 392 | 115 | 20 |
| 4 p. m. to 4.30 p. m..... | 10 | 560 | 157 | 15 | 10 | 560 | 152 | 15 |
| 4.30 p. m. to 5 p. m..... | 12 | 672 | 320 | 25 | 12 | 672 | 118 | 10 |
| 5 p. m. to 5.30 p. m..... | 12 | 672 | 467 | 38 | 12 | 672 | 147 | 13 |
| 5.30 p. m. to 6 p. m..... | 10 | 560 | 407 | 41 | 9 | 504 | 182 | 20 |
| 6 p. m. to 6.30 p. m..... | 6 | 336 | 203 | 34 | 6 | 336 | 138 | 23 |
| 6.30 p. m. to 7 p. m..... | 4 | 224 | 135 | 34 | 4 | 224 | 99 | 25 |
| 7 p. m. to 7.30 p. m..... | 4 | 224 | 217 | 54 | 4 | 224 | 137 | 34 |
| 7.30 p. m. to 8 p. m..... | 4 | 224 | 188 | 47 | 4 | 224 | 152 | 38 |
| 8 p. m. to 8.30 p. m..... | 4 | 216 | 166 | 41 | 4 | 212 | 75 | 19 |
| 8.30 p. m. to 9 p. m..... | 5 | 260 | 181 | 36 | 4 | 208 | 64 | 16 |
| 9 p. m. to 9.30 p. m..... | 4 | 208 | 117 | 29 | 3 | 156 | 60 | 20 |
| 9.30 p. m. to 10 p. m..... | 4 | 208 | 119 | 30 | 4 | 208 | 83 | 21 |
| 10 p. m. to 10.30 p. m..... | 4 | 208 | 82 | 21 | 4 | 208 | 41 | 10 |
| 10.30 p. m. to 11 p. m..... | 3 | 156 | 83 | 28 | 4 | 208 | 99 | 25 |
| 11 p. m. to 11.30 p. m..... | 4 | 208 | 130 | 33 | 3 | 156 | 37 | 12 |
| 11.30 p. m. to 12 p. m..... | 4 | 208 | 111 | 28 | 3 | 156 | 71 | 24 |
| | 235 | 13,040 | 10,077 | ..... | 234 | 12,992 | 8,797 | |

Placed on file.

RECONSTRUCTION OF NEWCASTLE ROAD.

The following was received:

City of Boston,
Office of the Mayor, February 1, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of January 17, 1938, concerning reconstruction of Newcastle road, Ward 22.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
January 28, 1938.

Mr. W. T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council requesting that Newcastle road, Ward 22, be reconstructed under the W. P. A. type of construction.

This street is on a W. P. A. project for which approval has already been received by this department. In all probability if the W. P. A. work continues Newcastle road will be constructed in this year's program.

Yours very truly,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

INSTALLATION OF RADIOS IN HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, February 1, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President of the Board of Trustees of the Boston City Hospital relative to your order concerning the installation of radios in the Dowling Building.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, January 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on January 14, an order of the City Council was presented whereby the trustees were requested to provide for the installation of radios in the Dowling Building.

This order was referred to the Executive Committee of our staff, and the following is a copy of their report:

"The order of the City Council for provision for the installation of radios in the Dowling Building, referred from the trustees, was considered at a meeting of the Executive Committee held on January 20, 1938.

"It was voted that it is the sense of this committee that for the present the installation of loud speakers on the balconies of surgical wards is undesirable from the medical and economic point of view.

"It was suggested in the committee that although radios with loud speakers were often more annoying than entertaining, the installation of earphone sets might be desirable when the finances of the hospital would permit it."

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

Placed on file.

INFORMATION OF TAX TITLE PROPERTIES.

The following was received:

City of Boston,
Office of the Mayor, February 1, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Buildings relative to your order of January 17, 1938, concerning information on tax title properties.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department,
January 27, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Re: City Council order January 4, 1938, requesting information on tax title properties.

Dear Sir,—Item A: The total number of tax title foreclosed properties placed in the care and custody of this department from October 7, 1935, to January 15, 1938, is fifteen hundred (1,500) parcels.

Item B: Regarding sales from October 7, 1935, to date—as no sales were authorized prior to April, 1937, none were made before that time. Since April, 1937, and up to January 26, 1938, this department has been authorized to sell a total of ninety-eight (98) parcels, and following is a brief resume of the disposition of the said ninety-eight (98) parcels.

Forty-five (45) parcels actually sold at auction or private sale as authorized.

Thirty (30) parcels authorized for private sale to one party in accordance with an offer to buy, received from said party. Law Department informs that deeds are made out to convey said thirty (30) parcels upon payment to the city of required amount of money by the offerer.

One (1) parcel authorized for private sale to the former owner will be conveyed as soon as former owner completes negotiations for necessary money with his bank.

Twenty-two (22) parcels authorized for sale, but not sold because offerers withdrew for various reasons, such as lapse of time between date of offer and final authorization to sell, etc.

On January 25, 1938, offers to buy a total of thirteen (13) additional parcels were pending authorization to sell.

Item C: A total amount of thirty thousand twenty-one dollars and thirty-five cents (\$30,021.35) will be realized as selling price on the forty-five (45) parcels actually sold. Four thousand two hundred twenty-one dollars and fifteen cents (\$4,221.15) will be realized on the thirty (30) parcels to be sold to one buyer as previously mentioned, and four thousand one hundred ninety-three dollars and forty-nine cents (\$4,193.49) will be realized on the private sale of the one (1) parcel as previously mentioned.

Item D: The total expenses of this department relating to tax title properties from October 7, 1935, to present date are approximately nine thousand two hundred thirteen dollars and twenty-eight cents (\$9,213.28).

Respectfully yours,
LEO F. POWER,
Superintendent of Public Buildings.

Placed on file.

LOONIE PROPERTY ON GIBSON STREET.

The following was received:

City of Boston,
Office of the Mayor, February 1, 1938.
To the City Council.

Gentlemen,—I herewith transmit a letter from the Commissioner of Public Works relative to

your order of January 17, 1938, concerning the property of one Loonie located on Gibson street, Dorchester.

Respectfully,
MAURICE J. TOBIN, Mayor.
City of Boston,
Public Works Department,
January 29, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting January 17, 1938, requesting that the Commissioner of Public Works, through his Honor the Mayor, advise the City Council with reference to property of one Loonie, located on Gibson street, Dorchester, and report as follows:

(a) The date when the city leased the same. April 1, 1929.

(b) The amount of annual rental being paid. \$1,800 per annum, plus real estate taxes.

(c) The use being made of same. Used exclusively by the Paving Service and W. P. A. forces as a district headquarters.

(d) The amount spent on the roof of the barn or any other part of the property, either by city or W. P. A. funds, during the period 1933 to 1937, inclusive. \$1,180.31.

In connection with this matter, you are further informed that the Public Works Department intends to give up the use of this property at the end of the present month, and the activities of that yard are to be transferred to another location.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

APPROPRIATION FOR GAS RATE HEARINGS.

The following was received:

City of Boston,
Office of the Mayor, February 7, 1938.
To the Honorable City Council.

Gentlemen,—On January 15, 1938, the Boston Consolidated Gas Company filed with the Department of Public Utilities of the Commonwealth a new schedule of rates. The company's purpose in filing the new schedule is to obtain an increase in revenues from consumers, which the company estimates will amount to \$1,175,817 a year.

Of approximately 200,000 customers of the company in the City of Boston, either 93½ per cent or 98 per cent will have their gas bills increased, depending upon whether the gross or the net rates filed by the company in its proposed schedule are used in computing the increase. The small consumer, particularly, would have to bear the serious burden of the increase. A customer now paying \$1.20 a month would have to pay \$1.93 gross, or \$1.80 net, if he paid his bill within twenty days. A customer now paying \$1.10 would pay \$1.73 gross, or \$1.60 net. A customer now paying \$1.30 would pay \$2.04 gross, or \$1.90 net. Approximately 22 per cent of the customers would have increases of 50 per cent or more; approximately 40 per cent would have increases of 40 per cent or more; and approximately 70 per cent of the customers would have increases of 30 per cent or more, over their present bills.

Immediately upon the filing of the proposed schedule, I requested the Corporation Counsel to make objection thereto, and on February 1, 1938, the Corporation Counsel appeared at the hearing in opposition to the increases, and filed my objection to the proposed schedule. Hearings have been continued to February 17, 1938.

The Corporation Counsel has advised me that in order adequately to prepare for and present the city's case before the Department of Public Utilities, the services of experts must be obtained and other necessary expenses incurred; and he has estimated that the sum of twenty thousand (20,000) dollars will be needed for this purpose. Because the rate schedule imposes serious burdens on gas consumers, it is necessary that every effort be made to prevent the operation of the new rate schedule. Accordingly, I submit herewith an appropriation order in the sum of twenty thousand (20,000) dollars, to be charged to the Contingent Fund, when established, to be used to meet expenses of expert services and other necessary expenses to prepare for and participate in the proceedings in connection with the proposed rate schedule.

I recommend prompt passage by you of said order, because of the necessity of immediate preparation of the city's case.

The sentiment expressed in the order of your Honorable Body passed on January 17, 1938, indicates your approval of the city's opposition to an increase in gas rates.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That the sum of twenty thousand (20,000) dollars he, and hereby is, appropriated, to be expended, under the direction of the Corporation Counsel, for the purpose of meeting expenses for expert services and meeting other necessary and proper expenditures which may be incurred in the preparation for and in the conduct of proceedings in opposition to the schedule of rates filed by the Boston Consolidated Gas Company with the Department of Public Utilities on January 17, 1938, said sum to be charged to the Contingent Fund, when established.

Referred to Executive Committee.

LAND COURT PROCEEDINGS RE SOUTH BAY LAND.

The following was received:

City of Boston,
Office of the Mayor, February 7, 1938.
To the City Council.

Gentlemen,—I am inclosing, herewith, a communication from the Corporation Counsel relative to the city's participation and proceedings now pending before the Land Court for the registration of title to certain land in the so-called South Bay.

I am also inclosing an appropriation order for \$5,000, and respectfully recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, February 4, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I am inclosing an appropriation order for a special appropriation of \$5,000 for the purpose of continuing the city's participation in proceedings now pending before the Land Court for the registration of title to approximately forty-five acres of land in the so-called South Bay. I would appreciate it if this order could be introduced in the City Council on Monday, February 7, as the balance remaining in the special appropriation made on August 11, 1937, for this purpose will be reduced to \$151.44.

For your general information in connection with this request, I would say that on August 17, 1936, an original appropriation of \$10,000 and on August 11, 1937, a second appropriation of \$5,000 were made. The services of Frank E. Sherry, civil engineer, were contracted for on December 31, 1936, under a contract calling for the total payment of \$15,000, said total amount to be paid for expert services in the preparation of the trial and at the trial and also for the purchase of certain plans in the possession of Mr. Sherry, in case the city should decide to exercise the option to purchase provided for in the contract. Mr. Sherry will have been paid by February 9, 1938, a total of \$6,450, at the rate of \$25 per day. There are other details in connection with this contract and the option to purchase which I should like to discuss with you at your convenience.

In addition to the services of Mr. Sherry, the city has had the services of and is now employing Harold Hayden, expert title examiner, at \$70 per week for such weeks as he devotes to the case.

The costs of the Land Court and of the Land Court examiner have amounted to \$718.56 and \$1,000, respectively.

The city has obtained a favorable report from the examiner, establishing the title of the city to thirty-seven acres of land referred to, said land being assessed at approximately \$500,000. The New Haven Railroad and others are resisting the city's attempt to establish its title and the case is now ready to be marked for trial in the Land Court. It is hoped that the trial may be concluded and the city's title finally established by July 1, 1938.

The appropriation requested will be sufficient by a small margin to take care of the expense of experts now employed for the period in question.

An additional appropriation may be required at a later date in case the city decides to exercise its option of purchase under the contract with Mr. Sherry.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Whereas, An appropriation is necessary for the purpose of enforcing and registering in the name of the City of Boston such rights as said city may have in and to certain lands and flats abutting on or included in the South Bay; now, therefore, it is hereby

Ordered, That the sum of five thousand dollars he, and it hereby is, appropriated, to be expended under the direction of the Corporation Counsel, for such court costs, for such expert assistance and for the making and use of such maps, plans, surveys and engineering data as may be deemed necessary in connection with the registration and enforcement of such rights as the City of Boston may have in and to lands and flats abutting or included in the South Bay; the sum so appropriated to be charged to the Contingent Fund.

Referred to Executive Committee.

RESCISSION OF LOAN ORDER FOR ROBERT GOULD SHAW SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, February 7, 1938.
To the City Council.

Gentlemen,—In accordance with the attached recommendation of the City Auditor, I submit herewith an order providing for the rescission of authority to borrow voted by your Honorable Body last year in connection with a proposed P. W. A. school construction project. Owing to subsequent developments the proposed construction cannot be carried forward with Federal assistance, consequently the authority contained in the loan order in question is no longer required. I submit herewith an order providing for the rescission of the borrowing authority and respectfully recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, February 7, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—On March 29 of last year the City Council approved a loan order in the sum of \$1,000, the proceeds to be used in connection with the construction as a W. P. A. project of a combination gymnasium and assembly hall and incidental additions to the Robert Gould Shaw School in West Roxbury. It is now apparent that no further P. W. A. projects will be approved by the Federal Government and that it will be necessary for the School Committee to provide for the proposed construction as a 100 per cent municipal project. This being so, it is desirable that the order adopted last year by the City Council be rescinded. I submit herewith an order providing for such action and respectfully recommend that it be submitted to the City Council.

Respectfully,
CHARLES J. FOX, City Auditor.

Ordered, That the order given its second and final reading and passage on March 29, 1937, and approved by the Mayor on March 31, 1937, do, wit:

“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 one thousand dollars he, and hereby is, appropriated, to be expended under the direction of the School Committee, for a combination gymnasium and assembly hall in, and incidental additions to, the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, 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”.

be, and the same hereby is, rescinded.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Mrs. E. C. Driscoll, for compensation for loss of ash barrel taken by ashmen from 177 Chelsea street, Charlestown.

James P. Lydon, for compensation for injuries caused by an alleged defect at 471 Washington street, Brighton.

Dorothy Mahler, for compensation for injuries caused by city truck.

Elizabeth McIver, for compensation for collapse of water boiler at 15 Ridlon road, caused by water being shut off.

M. R. Mills, for compensation for damage to truck by city car.

Peter Perreault, for compensation for injuries caused by an alleged defect at 142 Beverly street.

Margaret L. Pothier, for compensation for damage to car by city car.

Executive.

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

H. B. Simpson, Lee Auditorium, February 22.

APPOINTMENT OF ACTING SEALER OF WEIGHTS AND MEASURES.

Notice was received from the Mayor of designation of J. Joseph McCarthy, City Treasurer, to be Acting Sealer of Weights and Measures.

Placed on file.

DISCONTINUANCE OF CERTAIN HOSPITAL POSITIONS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor instruct the trustees of the Boston City Hospital to immediately discontinue all positions created recently for assistant directors of nurses in the Boston City Hospital and also the superintendent of nurses of the Boston City Hospital and, if these positions are necessary, that they be filled by Boston residents and graduates of the Boston City Hospital.

Coun DOWD—Mr. President, in presenting this order I want to say, prefacing my remarks, that the order is not directed at the present Mayor, who had nothing to do with the situation nor at any city official who was not concerned with it. But it is mainly aimed at the Board of Trustees of the Boston City Hospital. Some time ago, when the trustees of the Boston City Hospital were considering the advisability of placing at the Boston City Hospital a superintendent of nurses living outside of Boston, the members of the Boston City Council objected strenuously to the appointment. The City Hospital was established back in 1860 and since that date every superintendent of nurses has been a graduate of the Boston City Hospital. We were successful, at that time, in preventing the trustees from placing an individual from Cambridge to work as superintendent of nurses. A short time later, however, very quietly and without any undue publicity, Miss Laura Logan was hired from one of the other states to make a survey of the nursing facilities at the Boston City Hospital. When those in charge at the hospital were questioned about the position, we were advised that she was simply there making a survey and that when that was completed she would no longer be on the pay roll. Members of the old Council, the Boston City Hospital alumni, and every nurse and student nurse were disagreeably surprised when they were advised that this lady was to be the new superintendent of nurses, but every one directly under her was desirous of giving her the opportunity to make good. She was there for only a short period, some thirty days, when eight assistant directors were imported from Carolina, Tennessee, Chicago and New York, and these individuals, appointed by Miss Logan, were given salaries from \$1,800 to \$2,000 a year. Our old nurses, who have spent a lifetime at the City Hospital, when finally raised to the position of head nurses, received \$1,400, but this superintendent of nurses, who was imported from Chicago, was given a greatly increased salary, and she

brought into the City of Boston these eight assistant directors from outside states, individuals who had never stepped into the City Hospital before, and who were given these large salaries of \$1,800 to \$2,000 a year and found. Bear in mind that these eight positions were all newly created positions. The girls in the various branches of nursing in the Boston City Hospital have spent a lifetime at this work and are entirely familiar with it, but they were immediately cast to one side, while these new appointees from outside states were placed in charge of all the nurses in all departments, despite the fact that they had never before placed foot in the Boston City Hospital and had absolutely no experience in our institutions. These positions, including their salaries and found, it is safe to say would run into \$25,000 per year. These persons, were all hired under the direction of the superintendent of nurses, and they immediately took charge of the institution. They have ignored and practically insulted every nurse and student nurse who have asked them a civil question, and they are of the opinion that any one who has graduated from the Boston City Hospital knows nothing about the profession, and is not qualified, even though they have spent the greater part of their lives at this work. So I would like the Mayor of Boston to ask the trustees why this sort of thing has been brought about, to discontinue all positions created for assistant directors of nurses in the hospital, and also the superintendent of nurses and, if these positions are necessary, that they be filled by Boston residents and graduates of the Boston City Hospital, not by people imported here from other states, taking the place of competent employees who are citizens and taxpayers of Boston, and who have intelligently carried on their work in the hospital for a number of years. Certainly we want employees in such positions who can answer civil questions, who do not feel so far above other employees that they treat them like the dirt under their feet. I believe some of the other members of the Council have had the same things brought to their attention that have been stated to me. Prior to the coming of the new superintendent, Miss Rose Foster for two years had been acting superintendent of nurses, receiving \$2,700 per year for her work. Miss Foster has spent a lifetime in the City Hospital, and when these women were imported from other states she, despite the fact that for years she was first assistant superintendent and for two years acting superintendent, was relegated to the background with practically nothing to do. In addition, for the last twenty years the trustees have taken a stand against the employing of all married women, and if a nurse or a Boston City Hospital graduate got married she was compelled to leave her position. But this new superintendent broke the precedent and hired married women to work for her. The superintendent of nurses does not want to be called the superintendent of nurses. She wants to be called the dean, and refuses to wear that fine white uniform so typical of our nurses. She will not interview any of the nurses working under her unless they write her a letter requesting an appointment. The highest salary ever paid to a superintendent of nurses in the Boston City Hospital previous to this appointment was \$2,900, but the trustees were kind enough to give this individual a salary of \$4,000 a year. The trustees of the hospital cannot very well state that they were unable to get a graduate of the hospital who was qualified to take the position, for I now give you the name of the woman who applied for the job and for months never heard from them. Her name is Miss Beatrice Gerrin, a Boston City Hospital graduate, a graduate of Columbia University, holding all the degrees necessary, and at the present time and for the past eight years superintendent of the Indianapolis Hospital. This, in my opinion, would certainly make her eligible to be made superintendent at the Boston City Hospital, but they would not give her the job, in spite of the fact that she was a graduate of the Boston City Hospital. Since the coming of Miss Logan and her eight assistants to the Boston City Hospital things have gone from bad to worse in so far as the nursing situation is concerned. I personally do not know the present superintendent or any of her eight assistants, but I shall quote from a letter received from the Cook County School of Nursing, Chicago, Illinois, showing their opinion of Miss Logan:

"As stated by Mrs. Crocker in her letter of December 13, Miss Logan was Dean and Director of the Cook County School of Nursing from 1929 to 1932. I was a member of the Board of Directors during Miss Logan's incumbency and served a year or two of that time as first vice president. Therefore, I know her quite well. In the latter part of her term friction had developed between Miss Logan and other persons who had important responsibilities in the Cook County Hospital in which the nursing service is rendered by the school. The personal relations of the school were thus rendered difficult and the resignation of Miss Logan was thus forthcoming. She has an emotional temperament, which makes it hard for her to adjust herself happily to persons and agencies outside of the staff with whom a nursing organization has to work.

(Signed) GEORGE B. MCKIBBIN, President."

Now, let us see what Miss Logan has done since she arrived in Boston. Our past head nurses were satisfied with a three-room apartment. Miss Logan refused to go into this apartment and ordered a five-room apartment for herself, and in order to give her this it was necessary to break down several walls at great expense. She then insisted that the apartment be furnished, and furnished expensively, too. As a matter of fact, she requested a \$600 Oriental rug, which was refused by the superintendent of the hospital. Nevertheless, to walk into her apartment makes one think of the Ritz-Carlton. The bathroom, I am told, is finished in salmon pink tile, her kitchen is all electrified. So we have these expensive furnishings for this individual, and the trustees of the hospital sanction every move she makes. In other words, what was good enough for all other head nurses was not good enough for her and this had to be rectified at great expense to the city. She also insisted that all her assistants be lodged in two-room apartments so that they could entertain their friends; and in addition she immediately ordered all probation students to attend classes at Boston University, thereby placing on the backs of the taxpayers of Boston thousands of dollars of useless expense. We have conducted our training school successfully for a number of years, and no institution in the country has ever produced finer results. But this woman wishes to spend money, something which she has been noted for, and she is now spending in unlimited amounts the money of the taxpayers of the City of Boston. In order to get the room she wanted, she hired an entire floor of the Franklin Square House to house the new students who were compelled to leave their quarters to make room for herself and her assistants. That means further expense to the taxpayers of the City of Boston. And then she decided that our nurses who had been for years in the City Hospital, from ten to twenty-five years, were not qualified. She instituted classes in the Boston City Hospital and insisted that every nurse in the institution attend. Nurses with from twenty to twenty-five years' experience were compelled to take the following courses:

First. How to make beds.

Second. How to get a patient out of bed and sit on a chair.

Third. How to read a thermometer and take the pulse.

Fourth. The proper method of giving a patient a bedpan.

Does it seem right that nurses who have spent a lifetime at their profession should be compelled to spend their time attending courses such as these at the expense of the taxpayers of Boston, particularly at a time when the finances of the city are in their present condition? But that is the procedure of the lady from the West, with her assistants from outside cities, who are getting large salaries and found. Before Miss Logan came to the Boston City Hospital, she was superintendent of the Flower Hospital, on Fifth avenue, and before taking that position she insisted that a penthouse be built on top of the institution for her use. A short time later her resignation was accepted.

I am the last person in the world to suggest, challenge or even intimate that anyone in such a high position would be narrow-minded and bigoted to any class or race, but during the past sixty days so many nurses and student nurses have given me the same story that I am inclined to believe that it is true. Recently at a luncheon tendered her, Miss Logan made the following remarks:

"I want you to know that my name is Logan, but I want you to know also that it is not the Catholic Logan."

Whether or not Miss Logan intended to insult the Catholic faith, I do not know, but I do know that if she is as narrow-minded and bigoted as that, she should not be in the position that she is. I think we would all like to know what she meant, Mr. President and gentlemen of the Council. Would to God she didn't mean what I think she meant. The time has gone by in the history of this city when the taxpayers will allow anybody in the employ of the city to be a bigot, regardless of the race or religion towards which prejudice is shown. It does seem unusual to me that she should go out of her way to make such a remark as that. It is rather a coincidence, however, on checking up on her appointments that seven of her assistants are of her faith, that she has placed them over individuals of other faiths, placing her friends in positions over our girls. If these stories and rumors are correct, I feel that she should terminate her services with the City of Boston. No superintendent can have a really efficient staff if the individuals under her are not kept in a good frame of mind. At the present time every nurse in the City Hospital is fearful of the superintendent. They have been advised that anyone advising those in public life of the happenings in the hospital will be immediately discharged. But may I say to them that I have the absolute faith and confidence in the Mayor of Boston that if he will conduct an impartial investigation of what I have stated in my remarks he will say to the nurses, "Give your story to the Committee on Hospitals and you will be immune from any action that Miss Logan or the trustees may take, if you are telling the truth." Never before in the history of the institution has the morale of the staff been so low. Not only are nurses, but doctors, and I can testify to one trustee, absolutely against this individual because of the fact that they realize that a great blunder was made when Miss Logan was appointed superintendent of nurses. We have in the City Hospital an institution that has had a great history, that has been one of the greatest institutions in the country, one of the finest in the world, where our greatest doctors have operated. When Miss Gately was displaced, and they put there Miss Knox, one of the trustees said to the Board, "I will be damned if I allow this outrage to go on without protest." So not only have the nurses and doctors objected, but there is objection among the trustees themselves. The only thing they lack, however, is the courage to fire her. In the two places that the superintendent of nurses has held in the past eight years' administration has been featured by extravagance and mismanagement. In closing, I simply say this. Let the Mayor check up on this matter, keeping in mind that the manner in which the superintendent of nurses and her eight assistants are running the institution is a detriment to all the nurses and all the patients, and that these eight assistant jobs, the newly created positions, never should have been placed in the budget of the Boston City Hospital. I charge, too, that the attending of classes at Boston University and the hiring of an entire floor at the Franklin Square House are useless expenses to the City of Boston, expenditures that should not be made; that the salary given to the superintendent of nurses at the present time is the highest in the history of the institution for that position; that the hiring of married women as nurses is without precedent in the past twenty years, and that bigotry and narrow-mindedness should not be shown by one holding such a position as Miss Logan holds. Just one word more. My position in this matter is the same as it always has been. I am firmly convinced of the fact that we have in Boston plenty of girls who stand at the very height of the nursing profession, girls competent to fill the position of superintendent of nurses or of assistant to the superintendent; that it is not necessary to go to Carolina, Oklahoma, Chicago, Tennessee or New York and import women in this way, while our Boston girls, who should get consideration, are unable to get a job. I believe the other members of the Council have had the same experience that I have had with the City Hospital, and that they know of competent, well-trained girls who would like to get positions in the Boston City Hospital, and who have been unable to do so. I say, Boston people for Boston jobs, and I trust that the Mayor will discontinue the services of this superintendent of nurses and

her eight assistants, and send them back to the cities and states from which they came, letting the taxpayers of their respective communities pay their bills, instead of our Boston taxpayers.

Coun. PETER A. MURRAY—Mr. President, two of the nurses at the City Hospital have, in talking with me, substantiated what Councilor Dowd has said in regard to the dictatorial attitude of this woman.

The order was passed under suspension of the rule.

COLLECTION OF WATER BILLS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, not to resort to the monkey wrench system to enforce the collection of water bills, but to make use of the water lien method expressly provided by statute.

Coun. WILSON—Mr. President, speaking at no great length on this order, I wish to urge action by the Mayor which will not encourage the present Water Division of the Public Works Department in going back to the ancient method of indirectly putting the works on taxpayers of the City of Boston, more especially as affecting unfortunate tenants in an apartment house or a dwelling in the city, the owner of which may have failed to pay his water bills. I realize, of course, that within the last three or four years in Boston's history, the Water Division has failed to be self-supporting. I realize, too, the difficulties the department is experiencing in getting in the unpaid water bills. I realize, also, however, that under statutory provisions the City of Boston can in such cases place a water lien on the real estate itself, similar to the tax lien that can be put on for the payment of real estate taxes. I do not believe that we should go back to the old days of the Black Hole of Calcutta, and deprive innocent tenants of their water for drinking or bathing purposes as an indirect method of obtaining payment of water bills. I therefore urge on the Mayor that there shall not be a reversion to any such custom.

The order was passed under suspension of the rule.

SUGGESTED REMOVAL OF HEALTH DEPARTMENT.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested as part of his economy program, to consider the possible removal of the Health Department from the tenth and eleventh floors in City Hall Annex to the city property known as the Haymarket Relief Station.

Coun. WILSON—Mr. President, that order is not intended either directly or indirectly as an attack on what I consider to be the highly competent Board of Health of the City of Boston, which I believe has for many years been doing an excellent work. There is nothing personal in the order. But most members of the Council, I think including the new members, are aware of the fact that on the eleventh floor of the City Hall Annex we have a sort of municipal zoo or guinea pig farm, in which, quite properly, the Board of Health makes certain surveys and experiments. Some of the new members might be surprised if they should take a trip to the eleventh floor and look over the collection we have there of rabbits, guinea pigs and other livestock, used in the work of the Boston Board of Health. I have particularly in mind that it is in that part of City Hall where the various doctors and representatives of health services report on contagious diseases of children and other persons. I believe, therefore, from the ordinary health point of view, the Board of Health should have a better environment in respect to this activity than the tenth or eleventh floors of City Hall. I believe from the point of view of the public as well as from the point of view of the doctors who come there and who are interested in the results of the various experiments, that the Health Department might well be shifted to the property known as the Haymarket Relief Station. I have in mind that that station would be more accessible to the medical men who so often make the trip and that it would mean better surroundings and environment for the general public than we find in the present quarters. I would also make the suggestion from the third point of view, recognizing that

at this particular time the Mayor is seeking some real economy measures, that if the Health Department is removed to the Haymarket Relief Station, it will permit of the removal of outside city departments to the space in the City Hall Annex now occupied by the Health Department, on the tenth and eleventh floors. Several such departments, now outside of City Hall, could no doubt be well accommodated there.

Coun. IRWIN—Mr. President, I do not think at this time that this body should take any such action as is proposed under this order. There is no certainty on anybody's part that the Haymarket Station is to be closed, in spite of all the talk. Certainly the councilor from Ward 3 (Coun. Fitzgerald) at the last meeting of the Council raised some very interesting points in regard to this proposed closing of the Haymarket Relief Station. So it seems to me that this question is still very far from being settled. In view of the facts, I think the Council should not take any action whatsoever on the order today.

Coun. WILSON—Mr. President, I have in mind that the councilor from Ward 3 (Coun. Fitzgerald), representing that district, quite properly from his point of view objected to the abandonment of the Haymarket Relief Station; but I have also in mind the fact that, so far as the sentiment of the Council is concerned, the major sentiment was in favor of the Mayor's proposal one week ago today. If there is anything to the legal question that the councilor from Ward 3 raised, as to whether the Haymarket Station could be used for other than hospital purposes, I would suppose that if there is such a legal technicality, it could be easily overcome through such an order as I have introduced, due to the fact that in most cities of the country the Health Department, quite properly, is connected with the Hospital Department. Therefore, I think there certainly can be no objection to the passage of the order, which merely asks the Mayor to consider the possible removal of the Health Department from the tenth and eleventh floors of City Hall Annex to the property known as the Haymarket Relief Station. It seems to me that that is a matter that the Mayor might properly consider, and that is all that this order asks, in view of the Mayor's decision to abandon the Haymarket Relief Station as at present used.

Coun. TAYLOR—Mr. President, at the last meeting I voted against an order requesting the Mayor not to close the Haymarket Relief Station, because I wanted to be with the Mayor in his economy program. That is the only reason why I voted in that way. I felt at the time that it was perhaps going to create a lot of difficulty so far as the people of those various districts are concerned. But if the city is now going to use that building as proposed in this order, where is money going to be saved? I understand that the Mayor of Boston is not going to discharge any employees, and we now find ourselves in a position where the building is going to be used and where we are going to have two empty floors in the City Hall Annex. I think that would be contrary to the Mayor's intention and against his economy program.

The order was referred to the Executive Committee.

EQUIPMENT FOR OFFICE OF SUPERIOR CIVIL COURT CLERK.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the payment of the expense of special equipment furnished to the office of the clerk of the Superior Civil Court but not yet paid for; provided that such legislation includes a referendum to the Mayor and City Council.

Coun. WILSON—Mr. President, I have introduced that order by request, it being only one of these permissive orders, to allow a petition to be filed in the Legislature to meet the necessities of this particular case. As I understand the facts, while Mr. McDermott, whom nobody has ever accused of being a politician, was acting clerk of the Superior Civil Court, it became very evident that certain equipment, for filing papers and other paraphernalia, was necessary. I understand that he accordingly attended to the matter and that the bill has not yet been paid. I understand that

the only way to pay it, because of some technicality, will be through an act of the Legislature, and this order is simply looking to the taking of action which will permit of the filing of a petition before the Massachusetts Legislature.

The order was passed.

RACIAL DISCRIMINATION BY PUBLIC UTILITY COMPANIES.

Coun. TAYLOR offered the following:

Resolved, That the City Council of Boston favor the enactment of legislation of a bill now pending before the Massachusetts Legislature which would make public utilities criminally liable for any discrimination in the employment of any person on account of his color.

Coun. TAYLOR—Mr. President, there is now pending before the Massachusetts Legislature a bill that would make public utility corporations criminally liable for discrimination in the employment of people because of their color. A survey of the records of these corporations will show that only in rare instances do these quasi public corporations employ any colored labor. It has come to my attention from various sources that these corporations refuse to hire any colored people. I think corporations which receive a license from the state in order to do business owe something to the public in this respect, and that something must be done to compel them to refrain from resorting to such practices. When people of the colored race buy services or utilities from different public utility corporations, they are not asked whether or not they are colored. When it comes to taking their money, they are not asked whether or not they are colored. The colored people, a great many of whom reside in my district, have human hearts and brains and are fully competent to assume the duties required by these public service corporations. These corporations have been feeding off the public, and why should they refrain from hiring these people simply because of their color? I say that this Council should favor the enactment of this proposed legislation so as to compel public service corporations who take the people's money to act in a proper way towards the people of the community. If they are found guilty of showing discrimination in the treatment of the colored race it should be made a criminal offence.

The order was referred to the Committee on Rules.

CONTINUANCE OF HANDICAP SEWING PROJECT.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to use every effort to continue the handicap sewing project now maintained at the Army Base.

Coun. ROSENBERG—Mr. President, it has been called to my attention that there is a possibility of the closing down this week of the physical handicap W. P. A. sewing project, maintained at the Army Base. There are employed on this project approximately one hundred and sixty persons who are unable to secure regular employment due to their physical condition. This project has been one that has proven to be constructive and very valuable, in that it has kept individuals employed in gainful work. The articles produced by these workers have gone to the needy families of Boston and has resulted in a great saving of city funds. Many of these persons were former employees in shops, factories, and in other occupations and it has been a Godsend, not only to these individuals, personally, but to the many families whom they have helped to support. This project has made it possible for these individuals to be self-supporting and it would be a severe hardship, especially at this time, to curtail or suspend this very meritorious program. To cut short the employment of these handicapped persons, after they have been independent and self-supporting for a long time, will entirely destroy the accrued benefits of their previous employment and will directly result in lessening their courage to continue in useful employment. No doubt, many of these workers will be forced to seek welfare assistance and materially increase the present welfare rolls. I trust that his Honor the Mayor will exert every effort at his com-

mand to influence the W. P. A. authorities to continue this most worthy project. I feel confident that every member of the City Council will cooperate with me in the passage of the order, in order that every possible means shall be exercised for these worthy and deserving individuals employed on this project.

The order was passed under suspension of the rules.

BETTER HYDE PARK CAR SERVICE.

Coun. PETER A. MURRAY offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to immediately arrange for better car service on the line running from Forest Hills Station to Hyde Park, along Hyde Park avenue.

Passed under suspension of the rule.

SAFETY ISLAND.

Coun. HARRIS, for Coun. Fitzgerald, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to place a safety island at the intersection of Lowell, Nashua and Brighton streets, opposite the Public Works Building.

Passed under suspension of the rule.

EQUIPPING AMBULANCES WITH CHAIRS.

Coun. HARRIS offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to consider the advisability of equipping the City Hospital ambulances with strong chairs for the purpose of carrying people down stairs.

Passed under suspension of the rule.

USE OF CABOT STREET SWIMMING POOL.

Coun. HARRIS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to grant permission for the use of the swimming pool at Cabot Street Municipal Building to the public from 11.30 a. m. to 12.30 p. m. daily.

Passed under suspension of the rule.

HUBERT STREET AS ONE-WAY STREET.

Coun. HARRIS offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to designate Hubert street, Ward 9, as a one-way street.

Passed under suspension of the rule.

TRAFFIC SIGNALS, WARD 4.

Coun. CHASE offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the intersection of Columbus avenue, West Canton and Appleton streets, Ward 4.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Huntington avenue and West Newton street, Ward 4.

Severally passed under suspension of the rule.

INSTALLATION OF WARNING LIGHTS.

Coun. CAREY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic warning lights at the intersection of St. Alphonsus street and Longwood avenue, St. Alphonsus street and Conant street, St. Alphonsus street and Smith street.

Coun. CAREY and Coun. PETER MURRAY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of South Huntington avenue and Perkins street, Ward 10.

Coun. CAREY—Mr. President, these orders relate to a very bad section there, where some additional precautions should be taken. There is a menace to children, going and coming from school, and also to older people. There are at the present time traffic lights at the corner of St. Alphonsus and Tremont streets; but going from Huntington avenue to points beyond, on Mission Hill, to Jamaica Plain and other sections, it often happens that drivers trying to make the light, go along at too great a speed. A couple of weeks ago I saw a large delivery truck turned over on its side at Huntington avenue and St. Alphonsus street, and a short time before that a similar accident in the same neighborhood. I think something should be done at those intersections for the protection of young children and others. Therefore I recommend the passage of these orders.

The orders were passed under suspension of the rule.

RECESS.

President KERRIGAN at 3.25 p. m. declared a recess, subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 4.03 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, 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.:

H. B. Simpson, Lee Auditorium, February 22,—recommending that leave be granted.

Report accepted; leave granted on usual condition.

2. Report on petition of Mary E. McGuinness to be paid annuity on account of death of her husband, James P. McGuinness, late member of the Fire Department, recommending passage of the 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 Mary E. McGuinness, widow of James P. McGuinness, a member of the Fire Department who died on November 22, 1937, on account of injuries received in the performance of his duty, said annuity to continue so long as she remains unmarried; the payments to date from November 22, 1937, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) rescinding appropriation of \$1,000 for incidental additions to Robert Gould Shaw School, West Roxbury—that same ought to pass.

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

4. Report on message of Mayor and order (referred today) appropriating \$5,000 for purpose of continuing proceedings before Land Court for registration of title to land in South Bay—that same ought to pass.

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

5. Report on message of Mayor and order (referred today) appropriating \$20,000 for expenses incident to gas rate hearings before Department of Public Utilities—that same ought to pass.

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

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor January 31, 1938, of Gerald F. Hughes, Arthur Jones, A. Gersony, H. J. Towle, William Connolly and Dominic Dinicola, to be Weighers of Coal.

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

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

2. Ordered, That the appointment by his Honor the Mayor of John A. Breen to be a member of the Boston Housing Authority for the term ending January 8, 1943, he, and the same hereby is, confirmed and approved; and he it further

Ordered, That John A. Breen be, and hereby is, appointed to be a member of the said Boston Housing Authority for the term ending January 8, 1943.

The question came on the passage of the order.

Coun. SHATTUCK—Mr. President, may I ask why there are two orders here? The first order seems to confirm and approve the action of the Mayor in appointing this man to be a member of the Boston Housing Authority, and then the second order appoints him.

President KERRIGAN—The Chair will state that under the ruling of the Corporation Counsel in 1935 it is necessary to do it in this form.

Coun. WILSON—Mr. President, before voting against these orders, I wish to go on record as stating that, as far as I am concerned, I have nothing personal against the appointee. As far as I know, he is a man of the highest type. My reason for voting against the orders at this time is simply because of opposition to the housing proposition itself.

Coun. SHATTUCK—Mr. President, I shall take the same position.

The orders were passed, yeas 19, nays—Coun. Shattuck, Wilson—2.

President KERRIGAN—And the appointment is confirmed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. PETER A. MURRAY, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition (referred January 10) of Hart Bus Lines for license to operate motor vehicles from Revere line to Maverick square—recommending that leave be granted.

Report accepted and the question came on granting the license.

Coun. IRWIN called for the yeas and nays.

The license was granted, yeas 19, nays—Coun. Irwin, Shattuck—2.

RIDING ON NEWTON-BRIGHTON WATER-TOWN LINE.

Coun. AGNEW—Mr. President, I ask unanimous consent to make a statement. Earlier in the session a communication was received sent by the Boston Elevated Railway to the Mayor in response to an order introduced by Councilor Sullivan and myself a couple of weeks ago. Realizing that other members of the Council besides Councilor Sullivan and myself may not be especially interested in this particular order, I cannot, however, allow this communication from the Elevated to go unanswered. It pertains to an order introduced by Councilor Sullivan and myself in regard to the Newton-Brighton-Watertown car line, in connection with which we asked for greater and better service for those in the Brighton and Allston district who use that car line. As usual, in response to such orders, the Elevated Railway sends us a crossword puzzle to figure out for ourselves, under some sort of system they have that means nothing to anyone but themselves, probably, and which furnishes to Councilor Sullivan and myself no information which will really enable us to understand what they are driving at. Nevertheless, I spent a couple of minutes trying to understand the report. We have maintained that the Newton-Brighton-Watertown car line is one of the worst car lines in the city and that it is practically impossible to board one of their cars in the busy hours of the day, particularly from 4.30 to 6 o'clock and after. It would furnish to any member of the Council here a great amount of information, and they would agree with Councilor Sullivan and myself, if they would go to Park street any afternoon and try to board one of those cars. In the statement which has been sent to us, the Elevated rustees say:

"There was only one fifteen-minute period outthoud when the riding was excessive, but it was preceded by a fifteen-minute period when the riding was comparatively light. The schedule provides total seats substantially in excess of passengers carried."

Then the figures they have submitted show that between the hours of 4.30 and 6 o'clock the passengers carried on those cars averaged per car 67, 80, 59, 100, 71, 82 and 81. Even from their own figures, it is evident that the passengers carried far exceed the capacity of the car which, I believe, is 56; and I wonder if the trustees of the Elevated feel that they are giving proper treatment to those served by these cars when, with an average car capacity of 56, they have 70, 80 and 100 passengers. I don't know that there is any way in which we can effect better transportation, but both Councilor Sullivan and myself feel that something should be done. It is our personal experience that practically every car on that line, from five o'clock until after six o'clock, will carry at least 100 passengers, and we feel that the people represented by it are entitled to relief. The taxpayers of Boston are paying a great part of the deficit of the Elevated, a full share of which deficit is borne by the people of our district. We do feel that we are entitled to better service than this schedule submitted by the Elevated shows.

Coun. SULLIVAN—Mr. President, it seems to me that the man who computed the figures in this statement may be the same one who computes the deficits every year. I know, personally, that there are anywhere from forty to sixty people standing in the cars on that line at that busy time in the day, and I request that this body send a copy of that letter to the Department of Public Utilities, so that they may take action upon it.

PENSIONS FOR WAR VETERANS.

Coun. LYONS offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation providing that World War veterans who are now employed as police officers in Boston and who have received an honorable discharge from the Army may apply for a pension after ten years of service, provided the wounds or ailments which they received during the World War incapacitates them for the performance of their duty, and also providing that World War veterans who have received an honorable discharge and who have served faithfully in the service of the city for thirty years, may apply for a pension and be retired at half pay.

Passed under suspension of the rule.

W. P. A. CONSTRUCTION OF SIDEWALKS.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to consider the advisability of installing sidewalks under the W. P. A. plan of construction on the following streets:

Robert street, from Belgrade avenue to South street, both sides.

South street, from Walter street to South Conway street, one side.

Passed under suspension of the rule.

TRAFFIC SURVEY OF WARD 20.

Coun. LYONS offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a traffic survey of Ward 20 for the purpose of installing the necessary automatic traffic signals and Stop signs.

Coun. LYONS—Mr. President, I would like to have the Traffic Commissioner take action on this matter of a traffic survey of Ward 20 for the purpose of installing the necessary automatic traffic signals and Stop signs. There are a number of bad spots in the district, where there should be protection, as would be brought out by a survey. One, for instance, is at the junction of Weld street and Centre, and Colby road and Centre, in Roslindale. There are quite long stretches where

drivers going along Centre street, for example, menace children and older people crossing the street, because Centre street is quite a speedway from the north to Providence, and there are so many vehicles going swiftly by that children and older people sometimes have to wait five or ten minutes for pleasure cars and buses before they are able to cross. There is a lot of high speed travel through there every night, particularly from April right through the summer, so that several traffic officers have to be assigned to the section. I would like to have the Traffic Commissioner look into this matter and take immediate action before other casualties occur. There have already been a number in the section.

The order was passed under suspension of the rule.

ELEVATED POWER HOUSE.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor contact the Board of Trustees and Directors of the Boston Elevated Railway Company and demand to know the necessity of their building a power house and plant in Everett at a cost of over \$1,000,000.

Coun. DOWD—Mr. President, while listening to Councilors Sullivan and Agnew on the Elevated situation in their district, the thought came to me that, in the present financial situation of the Elevated, we would naturally suppose that the trustees and directors would attempt to economize in different directions. But I have seen an advertisement for bids for a power house and plant in Everett at an estimated cost of \$1,200,000. It may be absolutely all right, they may need it, but when the taxpayers of Boston have been compelled to pay the deficits that they have paid up to this year, and for this past year are to be assessed in the neighborhood of \$2,000,000, I think even those managing the Boston Elevated ought to see the necessity of trying to curtail. Apparently they do not care how much the road loses every year, because they still go ahead incurring expense and looking to the people of Boston to meet the expense. I say to the Mayor of Boston that something has got to be done. It is a matter that has to be seriously considered this year by the Governor and the Legislature. The taxpayers can no longer continue to meet the deficits that they are being called upon to meet, and I can certainly see no logical reason or any actual necessity that requires the Boston Elevated to go over to Everett and put up a power house and plant at an estimated cost of \$1,200,000.

The order was passed.

STOP LIGHT, WARD 4.

Coun. CHASE and Coun. WILSON offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a suitable traffic stop light at the intersection of Parker and Ruggles streets, Ward 4.

Coun. WILSON—Mr. President, I realize that the city is handicapped for money and that we cannot have traffic lights at all of the dangerous intersections in the city. But I do have in mind this particular intersection, just at a point where there is a Greek church with a congregation of some 2,500, and with the Wentworth Institute close by. I believe a similar order was introduced at an earlier date. This is the sort of place where traffic signals should be installed, where you have a church with a large congregation, and a school of that nature.

Coun. AGNEW—Mr. President, may I ask for an amendment to the order, to inquire if any money is going to be appropriated or spent for traffic lights at all during the coming year.

The amendment was not adopted and the order as introduced was passed.

CLOSING OF PUBLIC DUMPS.

Coun. NORTON offered the following:

Ordered, That the Public Works Commissioner, through his Honor the Mayor, consider the advisability of closing all public dumps in Boston.

Coun. NORTON—Mr. President, I think this question of the advisability of closing all public

dumps in Boston should be seriously considered. I have in mind, for instance, two in my ward—one off American Legion Highway, Roslindale, and the other off Beach street, Roslindale. These dumps constitute a nuisance, particularly where they are located near homes. They become infested with rats and other vermin, and are a menace to the health of the community. I think the Public Works Commissioner should seriously consider the question of closing up these dumps, and closing them at the present time. The order was passed under suspension of the rule.

POSSIBLE USE OF ABANDONED
RELIEF STATIONS.

Coun. NORTON—Mr. President, I would ask unanimous consent to make a statement.

President KERRIGAN—If there is no objection, the gentleman may proceed.

Coun. NORTON—First, Mr. President, I would like to see, when it comes to sending out invitations for the meeting next Friday on the South Boston Housing Unit, the former member of the board included. There is another statement I would like to make. I would suggest to Mayor Tobin that it may be possible to use the facilities of the East Boston Relief and Haymarket Relief Stations in the manner in which the Hyde Park Municipal Building is now used. The downstairs floor is used for the distribution

of milk and food supplies to the poor. The main hall is used daily by groups of W. P. A. women who are engaged in sewing clothes that are distributed to needy people.

Coun. IRWIN—Mr. President, I rise to a point of order. Is the gentleman making a general statement, or is he speaking in the support of an order that he has introduced?

President KERRIGAN—He is making a statement by unanimous consent.

Coun. IRWIN—I thought, Mr. President, that when a member made a statement it was supposed to be on some order that he had introduced or some position that he recommended our taking.

President KERRIGAN—The Chair will rule that the councilor may continue. He is speaking by unanimous consent.

Coun. NORTON—Mr. President, a tuberculosis unit in charge of Dr. Cleveland Floyd, one of America's outstanding experts, has quarters there, and hundreds of people are treated through this service. In addition, veterans' organizations have a suitable room set aside for their activities. I would also recommend for study the idea of leaving a doctor, nurse and a few beds in each of these units for a period of time to be sure that there will be no undue suffering because of the proposed change.

Adjourned at 4.45 p. m., on motion of Coun. PETER A. MURRAY, to meet on Monday, February 14, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 14, 1938.

Regular meeting of the City Council in Faneuil Hall at two p. m., President KERRIGAN in the chair. Absent Coun. Peter A. Murray and Irwin.

GRAND JURORS DRAWN.

Five Grand Jurors were drawn, in the manner prescribed law, Coun. SHATTUCK drawing the jurors in the absence of the Mayor, as follows:

Five Grand Jurors, Superior Criminal Court, to appear March 2, 1938:

Anthony Nicoletti, Ward 1; James H. Butler, Ward 13; William E. Molloy, Ward 16; Leopold Schutz, Ward 19; Andrew J. H. Bickford, Ward 20.

TEMPORARY INVESTIGATORS, WELFARE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, February 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Daniel A. Murphy, Acting Executive Director of the Overseers of the Public Welfare, relative to your order of January 24, 1938, concerning the advisability of immediately appointing temporary investigators in the Public Welfare Department.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
February 11, 1938.

Mr. W. T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received your memorandum of February 1, 1938, with attached order of

City Council dated January 24, 1938, which reads as follows:

"Ordered, That his Honor the Mayor be requested to consider the advisability of immediately appointing temporary investigators in the Public Welfare Department for the purpose of expediting certification of applicants for W. P. A. employment."

The W. P. A. officials have advised this department that no more certifications will be accepted except upon requisition from their office. At the present time the only unfilled requisitions which this department have are for skilled workers. There are no unfilled requisitions for laborers or white collar workers. Consequently, there appears to be no need for additional investigators.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

AMOUNTS SPENT BY LAW DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, February 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Charles J. Fox, City Auditor, relative to your order of January 17, 1938, concerning the amounts spent by the Law Department outside of its official budget for the years 1936 and 1937.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, February 9, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—In connection with the attached order passed by the City Council at its meeting of January 17, 1938, and requesting information concerning amounts spent by the Law Department outside of its official budget during the years 1936 and 1937, I submit the following summary:

| | 1936. | 1937. |
|---------------------------------------|---------------|--------------|
| Abatement Service Experts..... | \$35,588 30 | \$11,586 20 |
| Legal Expenses, Experts, etc..... | 39,420 57 | 31,675 64 |
| Land Court Tax Lien Foreclosures..... | 31,677 70 | 33,872 20 |
| Examination of Tax Titles..... | 8,176 50 | 6,130 95 |
| Total..... | \$114,863 07* | \$83,264 99† |

* All charged to Reserve Fund.
† January to April charged to Reserve Fund, then on to Contingent Fund

The attached lists indicate the names of persons employed during the years 1936 and 1937 by the Law Department in connection with the examination of tax titles.

Respectfully,
CHARLES J. FOX,
City Auditor.

Examination of Tax Titles, 1936.

| | |
|---------------------------|----------|
| Theodore F. Alcaresz..... | \$37 50 |
| Ralph S. Bernard..... | 490 00 |
| Louis M. Bloomberg..... | 51 00 |
| Sarah E. Fay..... | 275 00 |
| Harry Feldman..... | 985 00 |
| Walter Foster..... | 25 00 |
| Edward A. Gorman..... | 150 00 |
| Israel Grossman..... | 475 00 |
| Gertrude Halpern..... | 300 00 |
| Grace F. King..... | 575 00 |
| Andrew J. Macdonnell..... | 2,054 50 |
| Anna D. MacInerney..... | 250 00 |
| Elizabeth McCarthy..... | 116 00 |

| | |
|---------------------------|-------------------|
| Frank J. Reddy..... | \$40 00 |
| Marie L. Reynolds..... | 790 00 |
| Edward P. O'Connell..... | 637 50 |
| Zangwill Sher..... | 150 00 |
| Henry N. Silk..... | 150 00 |
| J. Donald Sutherland..... | 575 00 |
| Vito Mirabile..... | 25 00 |
| Louis A. Novins..... | 25 00 |
| | <u>\$8,176 50</u> |

Placed on file.

CRESCENT AVENUE ENTRANCE TO COLUMBIA STATION.

The following was received:

City of Boston,
Office of the Mayor, February 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Edward Dana, President and General

Manager of the Boston Elevated Railway, relative to your order requesting that the Crescent avenue entrance to Columbia Station be kept open the same hours as the Columbia road entrance.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
February 11, 1938.

Mr. W. T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to your letter of February 1 with copy of order of the City Council requesting that the Crescent avenue entrance to Columbia Station be kept open the same hours as the Columbia road entrance, we are agreeable to giving it a trial and will arrange to have the Crescent avenue entrance kept open until the last train at night.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

GARBAGE REMOVAL CONTRACT, JAMAICA PLAIN-WEST ROXBURY DISTRICT.

The following was received:

City of Boston,
Office of the Mayor, February 8, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from E. M. Richardson, Commissioner of Public Works, relative to your order of January 24, 1938, concerning the garbage removal contract for the Jamaica Plain-West Roxbury district.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
February 7, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to the order of the City Council which was passed on January 24, the same being information requested with relation to the garbage contract in Jamaica Plain and West Roxbury, you are advised as follows:

1. Was the Thoma Contracting Company awarded the contract? Yes.
2. Who composed that Company? Martin J. Sullivan, president; Thomas J. Thoma, treasurer; Thomas F. Kelley, clerk.
3. Are they still the contractors? The contract is still in the name of the Thoma Contracting Company.
4. If not, how does Rachkosky and Pieczkowski enter into this contract? I have been informed that they bought out Mr. Thoma on January 4.
5. Were these men connected with the Thoma Company when the contract was signed? Not to my knowledge.
6. If not, how can the City of Boston recognize these parties with whom they have no contract? The City of Boston has to recognize the corporation.
7. Can any contractor substitute for himself another contractor at will? No—unless with the permission of the Commissioner of Public Works.
8. Does a transaction of this kind show conspiracy? Not in a legal sense.
9. Had the new company any dumps, or other equipment, before being awarded the contract? Under the law the contractor is in the same name and had the equipment.
10. Are they living up to the terms of the contract? For the first twenty-five days they ran behind and many complaints were registered, but for the last ten days they are living up to schedule and few complaints are being received.
11. Have they any dumps now in Boston? No.

12. Did they falsify the locations of dumps they had in Boston when the truth is they had none? As far as we know the dumps which they specified in the contract are still under their control.

13. Should not this contract be abrogated? This matter is being taken up with the Law Department at the present time on account of violations.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

SALE OF LAND ON GOLD STREET.

The following was received:

City of Boston,
Office of the Mayor, February 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings dated January 13, 1938, relating to an offer to purchase certain property situated at Gold street, numbered eighty-five (85) and ninety-seven (97) 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 the minimum price of one thousand dollars. The Superintendent of Public Buildings having stated in his letter that the sale of the premises for the said sum is in the best interest of the city, I respectfully recommend the adoption of this order.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department,
January 13, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Re: Communication of January 11, 1938, relative to tax title property on Gold street, South Boston.

Dear Sir,—A more complete description of this property as ascertained from letter dated April 6, 1936, from the Corporation Counsel to the City Treasurer is as follows:

"Land, with the buildings thereon, on the southwesterly side of Gold street, numbered eighty-five (85) ninety-seven (97) in the numbering of said Gold street, between an estate now or formerly of Margaret Griffin (numbered 83) and an estate now or formerly of Thomas W. Roulston, and supposed to contain about six thousand two hundred forty-eight (6,248) square feet. Said land is situated in Block 46 in the South Boston district shown in the Boston Assessors' Books of Plans of said city, filed in the Suffolk Registry of Deeds. Deed was dated September 29, 1931, and recorded on October 15, 1931, with Suffolk Deeds, in Book 5292, page 138."

Respectfully,
LEO F. POWER,
Superintendent of Public Buildings.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, April 2, 1936, foreclosed a right of redemption under a tax deed recorded with Suffolk Deeds, Book 5292, page 138, to the land and buildings situated on the southwesterly side of Gold street in that part of Boston called South Boston and more particularly described in said tax deed; and

Whereas, An offer to purchase said premises has been made by Fortunato Carista in the sum of one thousand dollars (\$1,000); now, therefore, it is hereby

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and 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 said

buildings at public auction at a minimum price of one thousand dollars (\$1,000); and it is hereby further

Ordered, That the Superintendent of Public Buildings be, and hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, to the purchaser of said land and buildings 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 Tax Title Property.

SALE OF TWO FERRYBOATS.

The following was received:

City of Boston,

Office of the Mayor, February 14, 1938.

To the City Council.

Gentlemen,—In accordance with the attached correspondence from the Division Engineer of the Bridge and Ferry Division I am submitting herewith an order providing for the sale of two ferryboats to be held at a duly publicly advertised auction. I have been advised that the schedule now in operation of the ferries is not justified on the basis of the present traffic conditions and I hereby recommend the adoption of this order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department,

February 9, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Sir,—In compliance with your request regarding the Ferry Service to East Boston, I wish to report that for the past five years the city has been operating only one ferry, the so-called South Ferry, with the Boston terminus at Eastern avenue and the East Boston terminus at Lewis street. At present there are four boats in the fleet; two are generally on the run with one stand-by and one spare.

The boat schedule now in operation is not justified on the basis of vehicular and pedestrian traffic now using the ferry. In view of the fact that the amount of traffic is decreasing annually, I believe that one boat on the run, operated continuously, would fulfill all requirements for the present and future. This would mean two round trips per hour and would permit disposing of one or possibly two of the boats now owned and maintained by the city. If two boats are disposed of we would still have one boat on the run and one boat as a stand-by and spare. This, of course, would leave the possibility of the Ferry Service being discontinued temporarily should the boat on the run become disabled while the spare boat was being overhauled to satisfy the requirements of the United States Steamboat Inspection Service.

In the event that it is decided to sell only one boat, I would recommend that the "Lieutenant Flaherty" be put up for sale. This boat was built in 1921 and should sell for approximately \$40,000.

If it should be deemed advisable to sell two boats, I would recommend that the "Daniel A. McCormack" be the other boat to be disposed of. This boat was built in 1926 and should sell for approximately \$65,000.

Respectfully yours,

THOMAS H. SEXTON,
Division Engineer.

Ordered, That the Commissioner of Public Works be, and hereby is, authorized to sell, at a duly advertised public auction, the ferryboat "Lieutenant Flaherty," at an upset price of forty thousand dollars, and the ferryboat "Daniel A. McCormack," at an upset price of sixty thousand dollars.

Referred to Executive Committee.

ORDINANCE REVISING SALARIES.

The following was received:

City of Boston,

Office of the Mayor, February 14, 1938.

To the City Council.

Gentlemen,—I submit herewith and recommend for adoption by your Honorable Body an ordinance revising the salaries of the officers and boards in charge of city departments. In 1925 the Mayor and City Council established the salaries of the heads of the various departments, giving due weight to the importance and character of the work in charge of each of them and the responsibility of their duties. In the years from 1926 to 1930, from a financial standpoint, the city was in a comparatively favorable position, and, as the opportunities presented themselves, many department heads were able to obtain increases in salary.

These increases were given by individual ordinances in 1927 and 1929 and apparently were not made in consequence of any general plan or with sufficient regard for the relative importance of the different departments. The ordinance I have recommended puts the salaries, with one or two exceptions, back to the 1925 basis and in a few cases they are still further reduced. The net saving in the city pay roll is estimated to be about \$34,000 a year.

In making these recommendations I want it distinctly understood that they are not to be taken as a reflection, in the slightest degree, upon the ability or standing of the past or present occupants of the positions affected, but that I am merely placing the departments upon what I consider the proper relative basis.

The statutes prohibit any increase or decrease in the salary of the Mayor during the term for which he is elected, but there is nothing to prevent me from voluntarily returning a portion of my salary to the city treasury and I have that matter under consideration. I have purposely refrained from recommending any change in the clause fixing the salaries of the officers connected with the City Council, believing that the value of their services should be left to the judgment of the members.

It is unfortunate that under the present conditions of divided authority the burden of this particular line of economy must be borne only by strictly city departments. However, if adopted by the City Council it may serve the further purpose of impressing upon those in charge of expenditures not under my immediate control the necessity of retrenchments in salaries which appear to be far out of line with those allowed in city departments.

I respectfully urge immediate action on this ordinance so that any new appointments that may be made will come in at the revised salaries.

Respectfully,

MAURICE J. TOBIN, Mayor.

An Ordinance Concerning the Salaries of Officers and Boards.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925, as amended, is hereby further amended by striking out the whole of said section and inserting in place thereof the following:

Section five. The following-named officers shall, while in the service of the city, receive the following salaries yearly and proportionally for any portion of the year, which shall, unless otherwise provided by ordinance, be in full for all services which such officers are authorized or required by statute or ordinance to perform, and shall be subject to the deduction of any and all sums due to the city from such officers. They shall receive as such salaries:

The mayor, twenty thousand dollars.

The members of the city council, two thousand dollars each.

The assessors, the chairman seventy-five hundred dollars, and the two other assessors each six thousand dollars. The first assistant assessors, each eight hundred and fifty dollars for street work and preparation therefor, and eight hundred and fifty dollars for services on dooming board and work on abatements and investigations.

The budget commissioner, six thousand dollars.

The building commissioner, six thousand dollars.

The city auditor—auditor, seven thousand dollars; secretary of sinking funds commissioners, seven hundred dollars; county auditor, either hundred and eighty dollars. Total, eighty-five hundred and eighty dollars.

The city clerk, seven thousand dollars, and the assistant city clerk, not more than fifty-five hundred dollars.

The city collector, seventy-five hundred dollars.

The city registrar, five thousand dollars.

The city treasurer—treasurer, six thousand dollars; treasurer of sinking funds commissioners, seven hundred dollars; county treasurer, eight hundred and eighty dollars. Total, seven thousand five hundred and eighty dollars.

The corporation counsel, nine thousand dollars.

The election commissioners, the chairman, six thousand dollars, the three other commissioners each five thousand dollars.

The fire commissioner, seven thousand dollars.

The health commissioner, seven thousand dollars.

The institutions commissioner, seven thousand dollars.

The park commissioners, the chairman, seven thousand dollars, the superintendent of the municipal airport, not more than five thousand dollars, and the deputy commissioner not more than forty-two hundred dollars.

The penal institutions commissioner, five thousand dollars.

The commissioner of public works, eight thousand dollars; the engineers in charge of divisions, each not more than six thousand dollars.

The sealer of weights and measures, forty-five hundred dollars, the chief deputy sealer, such salary, not exceeding three thousand dollars, and the other deputy sealers such salary not exceeding twenty-eight hundred dollars each, as may be fixed by the sealer of weights and measures with the approval of the mayor.

The soldiers' relief commissioner, five thousand dollars.

The statistics trustees, the chairman, thirty-five hundred dollars.

The street commissioners, the chairman, six thousand dollars, and the two other commissioners each five thousand dollars.

The superintendent of markets, four thousand dollars.

The superintendent of printing, six thousand dollars.

The superintendent of public buildings, fifty-five hundred dollars.

The superintendent of supplies, seven thousand dollars.

The traffic commissioner, six thousand dollars.

The transit commissioners, the chairman, seventy-five hundred dollars, and the two other commissioners each five thousand dollars.

The officers connected with the city council; the clerk of committees, fifty-five hundred dollars; the assistant clerk of committees, thirty-seven hundred and fifty dollars; the city messenger, fifty-five hundred dollars; the assistant city messenger, thirty-two hundred and fifty dollars; the second assistant city messenger, twenty-two hundred and fifty dollars; the document man, twenty-seven hundred and fifty dollars; two stenographer-clerks, each twenty-two hundred and fifty dollars.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Joseph Angliera, for compensation for injuries caused by city truck.

Richard F. Bee, for compensation for damage to car caused by an alleged defect in Nashua street.

Thomas Carbone, for compensation for injuries caused by an alleged defect in Shawmut avenue.

Andrew DiMassi, for compensation for injuries caused by city truck.

Estelle's, Inc., to be reimbursed for expenses incurred in digging drain at 894 Tremont street.

Roland S. Field, for compensation for damage to car by fire apparatus.

Freeport Marble and Tile Company, Inc., for compensation for damage to property at 264 Adams street, caused by city car.

Georgina McDonald, for compensation for injuries caused by an alleged defect at 374A Tremont street.

The Merrill Company, Inc., for compensation for refund on ash tickets.

Henry Moscaritolo, for compensation for injuries caused by city car.

Angelo Moscaritolo for compensation for injuries caused by city car.

Francis J. Murphy, Jr., for compensation for damage to car caused by an alleged defect in Huntington avenue,

Michael Prizzio, for compensation for injuries caused by city truck.

Hugh Sheeran, for compensation for damage to clothing at City Hospital.

Devey Steeves, for compensation for damage to car by city truck.

Mrs. John A. Taylor, for compensation for damage to property at 35 South street, caused by backing up of sewage.

Mary E. Vaughan, for compensation for collapse of water boiler at 500 Ashmont street.

John M. Fogarty, to be reimbursed for execution issued against him.

Executive.

Petition of Marion G. O'Brien to be paid an annuity on account of death of her husband, John W. O'Brien, late member of Fire Department.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between Ashmont Station and Dudley Street Station, over Dorchester avenue, Peabody square, Talbot avenue, Codman square, Washington street, Blue Hill avenue, Dudley street and Warren street.

Petition of Boston Elevated Railway for license to operate motor vehicles between junction of Chestnut Hill avenue and Commonwealth avenue and Cleveland Circle, over Chestnut Hill avenue and Cleveland Circle.

APPOINTMENT OF MERRITT THOMPSON.

Notice was received from the Mayor of appointment of Merritt Thompson of 30 Bay State road as City Collector for term ending April 30, 1942.

Placed on file.

APPOINTMENT OF WILLIAM F. HIGGINS.

Notice was received from the Mayor of appointment of William F. Higgins, of 43 Glen road, Jamaica Plain, to be member of Board of Street Commissioners for term ending January 1, 1942.

Placed on file.

ELECTION OF CHAIRMAN OF COMMISSIONERS OF SCHOOL BUILDINGS.

Notice was received from the Department of School Buildings of election on February 1, 1938, of William L. Baxter as chairman of Board of Commissioners of School Buildings. Placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor February 7, 1938, of Thomas L. Forrest, Theodore F. Walker, George S. Wilbur, Jr., to be Weighers of Goods; and William A. Mooney, to be a Weigher of Coal.

The question came on confirmation of the appointments. Committee, Coun. Galvin and Sullivan. Whole number of ballots 15; yes 15, and the appointments were confirmed.

SURVEY OF VAULTS AND SIDEWALK EXCAVATIONS.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to undertake, as a W. P. A. project, a survey of all vaults, coalholes, bulkhead openings, cellars, entrances, steps, or other permanent excavations under or in the streets, and obtain the following information with reference to each of said excavations:

1. Whether or not the department has a record of a permit or license issued for such excavation and for its maintenance, and the conditions of the permit.

2. Whether or not there is available at the present time in each case a good and sufficient bond for the reimbursement of the city for any damages occasioned by such excavations and their maintenance.

3. Whether or not the present owner of the estate to which any such excavation pertains proposes to continue to maintain and use it; and be it further

Ordered, That the said commissioner be requested to submit to the Board of Street Commissioners, from time to time, a list of all such excavations for which he finds

1. That there is no record of a permit or that the record of the permit is lost or destroyed.

2. That the bond is not good and sufficient.

3. That the owner of the estate no longer proposes to maintain the excavation.

And in each of said cases the said Board of Street Commissioners are hereby requested to pass a suitable order for the discontinuance and filling of said excavations after a given date unless in the meantime the owner is granted a new license by said board and furnishes a good and sufficient bond.

Coun. CAREY—Mr. President, this order contemplates the establishing of a W. P. A. project for the purpose of improving the condition that now exists in the matter of coal holes, areaways and other excavations in the public streets. In the older portions of the city there are perhaps several thousand of such excavations under the sidewalks. Some of them have movable wooden or iron covers, some have permanent roofs, some have iron gratings and others have so-called Hyatt lights. In the earlier periods of the history of the town and city it appears that no official permit was required for this use of the street by the abutting owner. From 1850 on permits were issued by the Superintendent of Streets, but for various reasons, such as lack of room, storage in unsuitable places, confusion due to moving, etc., the records of the Permit Office of the Public Works Department, except for the last thirty or forty years, are lost or destroyed or otherwise unavailable. Where damage to a traveler on the highway or to an adjoining owner occurs

in consequence of these excavations it is often of considerable importance to determine whether or not the particular occupation of the street has been sanctioned by the public authorities, and under present conditions this is not only difficult but many times impossible. The project which I have suggested, if carried out, will clean up the whole situation to the benefit of the city and the owners of the estates using these privileges, and the expenditure will be almost entirely for labor. In other words, in addition to what is otherwise accomplished by the order, people will be given an opportunity to go to work. I trust that the order will pass.

The order was passed under suspension of the rule.

PLAYGROUND, WARD 10.

Coun. CAREY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to consider the advisability of acquiring for playground purposes the land known as Coleman's Ledge, bounded by Tremont, Calumet and St. Alphonsus streets, Ward 10, and developing same for use as a playground as a W. P. A. project.

Coun. CAREY—Mr. President, that particular area is and has been a menace to the people in that neighborhood for a great many years, and its acquisition as a playground would be distinctly in the public interest. On looking into the matter I was interested to note that the area of the larger plot is 287,071 feet and of the smaller plot 25,000 feet. Going back to 1913, the assessed value of the larger plot was \$71,800. That assessed value remained until 1931, when it dropped to \$43,800, and in 1934 to \$34,000. The assessment on that same plot last year, 1937, was \$17,000. I went back to 1913 on the smaller 25,000-foot plot, and found that the assessed value at that time was \$8,700. Following it along I find that in 1931 it was reduced to \$6,200, in 1934 to \$5,000, and in 1937 to \$2,500. That place as it now stands is a menace to the lives and safety of hundreds of children in that neighborhood, who insist upon using it as a playground. It is used as a public and private dump. I have asked the Fire Department for records of the number of calls that were made the last year, information which I may not receive for a day or two, but, in the meantime, I can safely say that there have been perhaps 200 calls made upon the Fire Department for fires around that property. Therefore, on account of the standing menace of the place as it is and its possibilities if turned into a playground, I think the expense that would be involved in the order I have offered is justified. There is a continual demand by the people of the neighborhood that something be done about it. It stands as private property today, and it could be made into an excellent and beautiful playground, which could be developed at moderate expense as a W. P. A. project, through W. P. A. funds. The whole thing would thus be done at very little cost to the City of Boston. It is an improvement that I would say is not only necessary, but most desirable. I sincerely hope that the order will be passed, and that that land, now a menace and an eyesore, will be developed into something of great benefit to the city.

The order was passed under suspension of the rule.

EXTENSION OF GROVE HALL-BLUE HILL-DUDLEY STREET LINE.

Coun. ROSENBERG offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his honor the Mayor, to extend the present Grove Hall-Blue Hill-Dudley Street line to Franklin Park Station.

Coun. ROSENBERG—Mr. President, this order is not a new one. I presented it last year and the trustees then said that they

could not at that time extend the service. I am impelled to now present it again due to the fact that it seems imperative that the Grove Hall-Blue Hill-Dudley Street line go to the Franklin Park Station. It is highly important that people using that line should be able to reach the Franklin Park Station as a matter of convenience and really of necessity, instead of changing at Grove Hall and then transferring and paying a ten-cent fare. I trust, therefore, that this year the trustees of the Boston Elevated will be a little more liberal and give us this extension, so necessary to the people of the lower section of Blue Hill avenue and of the Franklin Park section.

The order was passed under suspension of the rule.

BANDSTAND, FRANKLIN PARK.

Coun. ROSENBERG offered the following: Ordered, That the Park Commission be requested, through his Honor the Mayor, to submit as a W. P. A. project the restoration of the bandstand on Franklin Park, which was recently destroyed by fire.

Coun. ROSENBERG—Mr. President, I presented a similar order a few weeks ago, asking for the erection, in place of this bandstand which was recently destroyed by fire, of a modern concrete bandstand. I have therefore requested, through the Mayor, that the Park Commission submit this as a W. P. A. project, and it is by that means that I request that, if possible, it be carried through as a W. P. A. project.

The order was passed under suspension of the rule.

LIST OF REPORTS, ETC., PRINTED BY PRINTING DEPARTMENT.

Coun. KERRIGAN offered the following: Ordered, That the Superintendent of Printing be directed to print as a city document a list of all the documents, memorials and reports printed by the department at the expense of the city from January 1, 1908, to January 1, 1938, which were not numbered city documents, giving in each case the title page, the number of pages, the number of copies printed, by what department or other authority ordered, and to whom delivered.

Passed under suspension of the rule.

MASSACHUSETTS YOUTH COMMISSION.

Coun. HUTCHINSON offered the following: Resolved, That the City Council of Boston hereby favors the enactment of House Bill No. 866, providing for the establishment of a Massachusetts Youth Commission to investigate problems affecting the youth of the Commonwealth, provided that such legislation includes a referendum to the Mayor and City Council.

Referred to the Committee on Rules.

APPROPRIATION FOR N. Y. A.

Coun. HUTCHINSON offered the following: Whereas, The N. Y. A. appropriation for the current fiscal year has been increased from thirty-eight million dollars to fifty million dollars;

Whereas, The N. Y. A. by executive order, effective February 28, will discharge all project workers who have been at work more than twenty-two months and will continue, monthly, these discharges until all who have worked more than fourteen months have been affected;

Whereas, The income of these young people is their only means of subsistence and is a vital part of the family income, and such action by the N. Y. A. will mean additional suffering on the part of the young people's families; and

Whereas, The N. Y. A. being expanded rapidly, to take care of increasing numbers of unemployed, the need for the continuation and extension of the N. Y. A. is of vital importance; and

Whereas, The withdrawal of the income from the young people will mean an addition to the heavy relief burden and expenditures of our Commonwealth and cities; then be it

Resolved, That the Congress of the United States be memorialized to increase the appropriation for the N. Y. A. sufficiently to re-employ those discharged, and at the same time to employ those needy applicants who are now replacing those discharged; be it further

Resolved, That the President and Executive Director of the N. Y. A., Mr. Aubrey Williams, be asked to utilize the entire appropriation for N. Y. A. as authorized by Congress.

Referred to the Committee on Rules.

INFORMATION ASKED FROM CITY HOSPITAL TRUSTEES.

Coun. DOWD offered the following: Ordered, That his Honor the Mayor request the Board of Trustees of the Boston City Hospital to answer the following questions:

No. 1.—Why they did not consider immediately the application of Miss Beatrice E. Gerrin, a Boston City Hospital graduate and a graduate of Columbia University, with all the necessary degrees, to become the Superintendent of Nurses at the Boston City Hospital?

No. 2.—Why did the trustees of the Boston City Hospital neglect to fill the office of Superintendent of Nurses for a period of three years, if, as they have stated, the morale and the efficiency of the Training School had deteriorated?

No. 3.—Why was it necessary, in these days of economy, with the city in dire financial circumstances, to create eight new positions with salary and found amounting to at least twenty-two thousand dollars per year?

No. 4.—Why did they allow such trained and efficient nurses as Miss Foster, who has been in the hospital since 1909, and who for three years was Acting Superintendent and first assistant superintendent, and a Miss Williams, who was second assistant superintendent, entering the hospital in 1914, and Miss Welch, third assistant superintendent, entering the hospital in 1922, to be relegated to the back-ground? And a Miss Cecelia Know of Chicago, and Miss Artie Sue Kerley from South Carolina, and a Miss Mary J. Buche of Columbus, Ohio, to be given positions of responsibility, in two instances at greater salaries?

No. 5.—Kindly quote the law in Massachusetts which requires college degree necessary for the superintendency of our institutions?

No. 6.—Kindly quote the law from the New York State Regent of Nurses which states specifically that all the assistant superintendents have college degrees?

Coun. DOWD—Mr. President, I want it distinctly understood, and I thought I made myself clear on that point last Monday, that I am primarily interested in one thing, namely, that Boston girls be given Boston positions. (Applause from the galleries.) It is unfortunate that certain individuals and newspapers seem to want to throw a smoke screen over this situation. There is only one issue, and only one thought that I have in this matter, so far as the Board of Trustees of the City Hospital are concerned. It is the same stand that I have maintained ever since I first became a member of the Council. With the Boston tax rate as high as it is, and with 21,000 city employees, we find 3,500 living outside the City of Boston, while Boston men and women are walking our streets unable to get a day's pay. Still, when you are attempting to accomplish this entirely desirable result, as I see it, some people will criticize you for attempting to do it. I realize only too well the special class, the special group that has had control of the

City Hospital for a great number of years. I am aware of the fact that previous Mayors and City Councils have had to contend with that group. I am aware, and so are you, of the fact that James M. Curley had to deal with them when he was Mayor and Governor of the Commonwealth. I now want to say that my order of last week simply asked one thing, and that was that the Mayor and the trustees consider, if these jobs are necessary, giving them to Boston girls. (Applause from the galleries.) The City Hospital is in the section from which I come and I am interested in its proper and efficient maintenance as a hospital. And I am personally interested in the treatment that our citizens get there from the nurses, and God knows, college degrees are not needed by these nurses in order to give the patients the proper treatment that they are entitled to. We have there, Mr. President, nurses that are well trained, nurses that are efficient, nurses that have had a thorough hospital training, and who are thoroughly capable of giving the best nursing service that can be afforded in any hospital in this country. I say to the trustees of the City Hospital that it is a damnable outrage that they should go outside as they have, at a time when the city is in such a bad financial condition, and give to outsiders positions in the last three months of Mansfield's administration that should have been given to our own well-qualified and experienced girls, girls with fine training and with long experience in the work of the hospital. I made certain charges, certain allegations on the floor of the City Council last Monday. I asked certain questions, and I expected that the trustees would be fair and give us a reasonable answer, not throwing a smoke screen over the entire issue. I say to them that I am now asking other questions, which I want them to specifically answer. I am not worrying about what the Mayor of this city is going to do. He has shown in the last five weeks that he has the courage to stand on his own feet. I am only asking the Mayor to judge this on one issue, and one issue alone—Boston people for Boston jobs, where the taxpayers' money is concerned. The trustees made this statement:

"The trustees are aware that after the resignation of the last superintendent of nurses three years ago the morale and efficiency of the training school had so far deteriorated that the hospital had been warned by the State Board of Registration of Nurses in Massachusetts and New York that its nurses would no longer be registered unless the standards of the school were raised."

Well, let us answer that. That is their statement. I ask the trustees, and I ask the Mayor of Boston to demand of them, why, if the office of superintendent of nurses has been vacant for three years, during which the standards of the training school have deteriorated, why didn't they hire a superintendent of nurses in that period of three years? If what they say is true, we must place the responsibility where it should be placed, on the shoulders of the Board of Trustees. If they waited three years without filling that vacancy, then they, and they alone, are responsible. What else do they say?

"In spite of a most conscientious search during those years for a suitable superintendent, in which special effort was made to find a Boston resident of suitable qualifications and who was willing to take the job, the trustees appointed Miss Laura Logan."

Well, let us see. Their first statement was that they could not get a Boston girl, a Boston City Hospital graduate, with the necessary degree, to assume the office of superintendent of nurses. On that statement of the hospital trustees I will rest my entire case with the Mayor of Boston and the public, the taxpayers who pay the bills. The girl I am about to name was qualified and has the degree necessary. Then, why didn't they name her? This girl, Miss Beatrice E. Gerrin, a Boston City Hospital graduate and a graduate of Columbia University, is now a superintendent in an Indianapolis city hospital, a

responsible job, and she made application for the position of superintendent of nurses at the Boston City Hospital. Why wasn't her application accepted? I have here a telegram from Miss Gerrin, under date of February 9, which I will read:

"Indianapolis, Indiana,

February 9, 1938.

Councilor John F. Dowd, Chairman of the Hospital Committee, City Hall, Boston.

In reply to your wire relative to my application for position superintendent of nurses at Boston City Hospital, I will state position vacant in summer 1935, while I was in Boston. At that time I had courage to make application to the superintendent. In April, 1937, before an appointment was made, the superintendent wrote me that the trustees had interviewed several applicants and asked me to go to Boston for an interview. Being unable to go until July, when the present superintendent was being considered, I did not ask for an interview.

BEATRICE E. GERRIN."

I want that telegram placed in our records. I have also received this telegram from Miss Gerrin:

"Indianapolis, Indiana,

February 11, 1938.

Councilor John F. Dowd, Chairman of the Hospital Committee, City Hall, Boston.

Should the Board of Trustees and the Superintendent of the Boston City Hospital favorably consider my qualifications and offer me the position of superintendent of nurses, I shall give the same consideration.

BEATRICE E. GERRIN."

And so I say to the President of this Council, to my fellow members and to the Mayor, that in that statement the trustees made they have falsified deliberately, they have misinformed the public, because these two telegrams do not lie. They are over the signature of a Boston City Hospital graduate, and a graduate of Columbia University, and now superintendent in the Indianapolis Hospital. That shows the falsity of the statement of the trustees that it was impossible to get a Boston girl as superintendent of nurses at the Boston City Hospital. So I desire those telegrams to appear in our record. The trustees have said that in spite of a most conscientious search during those years for a suitable superintendent, in which special effort was made to find a Boston resident of suitable qualifications and who was willing to take the job, they failed and then appointed Miss Logan. They then add:

"She is one of the outstanding women in the nursing educational field. Since she has assumed charge the efficiency of the nurses has increased, and patients are better cared for."

Well, on that point it may be interesting to see how the graduate nurses, the head nurses and the alumnae of the City Hospital feel about it. Let me quote just one letter out of the great number I have received during the last week, which to my mind gives an idea of conditions existing at the City Hospital:

"Dear Mr. Dowd,—Please do not leave our petition with the trustees, as we are afraid of them firing us, as we old-timers can't afford to lose our jobs. The rumor is now that the trustees are going to fire all nurses and doctors that signed the petition. Please be sure that the trustees and Doctor Manary don't get hold of the petition. This morning, February 11, at 9 a. m., Miss Logan had all pupil nurses sign their names to a petition to retain her. A good many pupil nurses didn't want to sign it, but they had to. There was no alternative. They were forced to sign regardless of how they felt."

That is signed by a graduate nurse of the Boston City Hospital. Let me remind those in authority at the City Hospital, now that they have mentioned politics, that the superintendent has been appointed through politics, that everyone of the trustees hold their positions through politics, and that the superintendent of nurses has been appointed through

politics. When they accuse the members of the Boston City Council of playing politics they are not fair, because we have a right as city fathers to protest when we feel that they, as officials at the hospital, have not taken the right attitude, an attitude in the interest of the employees and the public, in a matter of this kind. Let me say that those who circulated the petition compelling children eighteen and nineteen years of age to sign or they would be sent home, did the most damnable thing that has been done in the history of this city. And let me say to the graduate and head nurses, to all who would object to signing such a petition at any time, that they need fear nothing, because the Mayor of Boston would not allow them to be fired. And let me say to the trustees that this whole matter has now been placed in the hands of one man in the City of Boston who, in my judgment, will treat it fairly and as it should be treated. That is my answer to the statement that the administration of the City Hospital is now more efficient than it ever was. There is something radically wrong when 290 nurses out of 306 will sign a petition of their own free will. I have already stated that this new superintendent of nurses is very extravagant, that she insisted on having five rooms, that she insisted on having certain luxuries and a salary of \$4,000 and found, which is equivalent to \$6,000 a year. It is very evident that she is extravagant, and in these days we cannot afford to have anyone in any position in the city who is extravagant. Let us see what George B. McKibben, president of the Cook County School of Nursing in Chicago has to say about Miss Logan. He says that some time prior to her resignation Miss Logan demanded for herself a so-called penthouse of five rooms on top of the structure and bought the most expensive furniture, without the authority of the Board. He goes on to say that rather sensational statements were made about Miss Logan's penthouse and her extravagant purchases. "It was thought by the majority of our board that Miss Logan had exceeded her authority in developing this penthouse. Some time later, not very long after, Miss Logan tendered her resignation to our board, which was promptly accepted in the best interests of the school. Her resignation was tendered and we accepted immediately." I think that brings out conclusively what I said here last Monday. Are the trustees going to allow this woman to be extravagant with the money of the taxpayers of Boston? She has already shown that she is going to do the same thing in Boston that she has done in Chicago. We are also told by the writer that out there in Chicago she dismissed some twenty-five of the old student nurses and that sixty-five of the other nurses went on strike, and her resignation was precipitated by action of the Hospital Board in reinstating the ousted and striking employees. In other words, the morale of the Cook County Hospital became just the same as the morale of the City Hospital is at the present time. What else? I sent to the City Editor of the *Chicago American* to advise me what had happened out there in Chicago with regard to Miss Logan, and his answer is as follows:

"Our files show that Laura R. Logan resigned under fire June 21, 1932, as dean of the Cook County School of Nurses, training school for nurses who staff the Cook County Hospital. She was dean for eight years. Her resignation followed investigation by the County Board of charges by staff physicians that she was autocratic and refused to cooperate. The County Board also found that she spent public money extravagantly for luxurious equipment for her living quarters, on her expense account being such items as \$50-loveseats and costly draperies. The resignation became effective November 1, 1932. Miss Logan's resignation was precipitated by action of the Hospital Board reinstating sixty-seven ousted and striking psychopathic hospital employees. The strikers had resented dismissal of twenty-five nurses. Miss Logan objected to the reinstatement of the strikers."

That is from the City Editor of the *Chicago American*. There is what happened, gentlemen, in the Cook County Training School for Nurses, and I cannot understand how the Board of Trustees of the Boston City Hospital who never saw Miss Logan before, can come out now in a public statement and say that she is the most outstanding nurse in the country. The answer to that is that they brought Miss Logan on here, that they made that statement in regard to her, and that they now refuse to change it. The person whom we want for the head of nurses in our hospital is some one who is humane and will give the patients a fair deal, not such a person as Miss Logan and the college graduates whom she has brought here from these other states of the Union. I have also here a letter which I intend to read, because of the fact that I think it sums up the situation:

"February 11, 1938.

"Councilor John F. Dowd, Greenville Street, Roxbury, Mass.

"Dear Mr. Dowd,—We are forwarding this letter to you hoping that it will aid you in your commendable investigation now going on at the Boston City Hospital, as we feel that this will aid you in this work. We do know that Doctor Manary is at the foundation of all this great extravagance, due to the fact that he appealed to American Nurses Association and evidently was informed about Miss Logan, who is now superintendent of nurses. This solves the mystery as to why he defends her by saying that she is the best in the country. He had presented to him names of nurses from his own school who were eligible for the position. Also, he had three years in which to make this decision, waiting until this critical time. Doctor Manary made a statement that there was no nurse eligible for this position in Massachusetts. Why should nurses who have been residents of Boston since birth and registered in Massachusetts (instead of in other states as in this case) be humiliated in this way?

"Miss Logan brought all her friends on from other states. She claims they need nurses with college degrees (although there were many in Massachusetts with college degrees who were not chosen).

"Miss Logan and her assistants are trying to install a system by which the patients may be dealt with as a piece of machinery and not as a human being. They seem to forget that patients suffering with tuberculosis are subject to great fatigue and great discomfort on the least exertion. But they demand that all patients be finished at ten o'clock. Their idea of nursing is nothing more than walking around with pencil and paper and playing the part of Sherlock Holmes while the taxpayers of Boston pay them their salaries. At the time these positions were created there was no money appropriated for such positions, but the patients were deprived of their real necessities in order that the budget be balanced and pay them their salaries.

"One case we know of—a night supervisor with a suite of rooms—had to give up her suite in order to accommodate one of Miss Logan's assistants. (This person was night supervisor for some fifteen years.) She had to accept a single room. There was a new job created for Miss Logan's assistant—that of instructing a class of six students for one month's duration (which, of course, would be of no benefit at all). Another job has been created for one of her assistants, although no work is really being done. This person simply walks around, and no one in the institution knows what her duties are or what she is really here for. Both of these people annoy the patients very much with their mysterious appearances at the doors and windows. We feel that if the money wasted on these nurses were given towards comforts for the patients it would be much better.

"Another absolute fact—Miss Logan put through a new ruling that nurses were prohibited from wearing religious medals around their necks, a privilege which a great many nurses enjoyed.

"It might be well for you to know that with less patients now, we have four nurses where two formerly did the work. These new nurses were all given supervisors' jobs and put over nurses who have been here for years, and, of course, with higher salaries."

We have heard some talk through the newspapers about the attitude of the alumnae association of the Boston City Hospital nurses. The secretary of that association has forwarded to me a copy of the letter that she sent, under date of February 12, to the editor of the Boston *Herald*, in contradiction of an article which appeared in the Saturday edition of that paper, also stating appreciation of my efforts to remedy the situation that now exists in the City Hospital:

"To the Editor, Boston *Herald*, Boston, Mass.

Sir,—will you kindly print the following contradiction to the article which appeared in the Saturday's edition of your paper? I wish to deny the statement which appeared in the Saturday's edition of the Boston *Herald*, that 'hospital alumnae back Miss Logan.' The truth of the matter is that the meeting held last Friday night was neither called nor presided over by the president of the Boston City Hospital Nurses Alumnae Association. It was a hurriedly summoned meeting of the graduate body, fairly well attended, and which resulted in not going on record as accomplishing its aim, mainly, to urge the nurses to support Miss Laura Logan, the present superintendent of nurses at the Boston City Hospital. It was impossible to record a vote of the sentiments of the members present due to the departure of a great many nurses from the meeting, and to the intense feeling which prevailed.

Very truly yours,

(Mrs.) NORA T. YEALE,

Secretary Boston City Hospital Nurses Alumnae Association."

And that is my answer to the fictitious statements that have been issuing daily from the City Hospital. I want this included in the record. Let me here say to you that the first requirement of the City Hospital is efficient, humane graduate nurses to alleviate suffering. That is the need of the patients. Under Miss Logan two additional paper clerks have been hired at the City Hospital, the head nurses having to take an hour and a half daily to file reports that eventually find their way to the waste basket, when that time and effort should be used in giving aid and comfort to the patients at the hospital. To sum it all up, Mr. President and fellow-members, and I am also addressing myself to the various editors of the Boston newspapers, let us be fair in this matter. Let us decide the matter on the facts which have been presented. These and other questions have been asked of the trustees, and I don't see why they should throw a smoke screen over this investigation. Let me here say that I have never started an investigation since I have been a member of the Boston City Council that I have not concluded. I don't care what they say, I feel that I am right in this matter, and if necessary I will carry the fight to the people of Boston and let them decide whether they want Boston people for Boston jobs or Carolina people for Boston jobs. (Applause from the gallery.) That is the issue. There is no question about it. Let me present to you the names of the eight imported assistants, for the record,—Miss Thompson, Yale University, from New Jersey; Miss Margaret J. Busche, Columbus, Ohio; Miss Artie Sue Kerley, from South Carolina; Miss Clara B. Ellis, from Teachers College, Columbia; Miss Cecilia M. Knox, from Cook County School of Nursing, Chicago; Mrs. Thompson and Mrs. Prothingham, of New York City, and Ann M. Duffy, of Chicago, Illinois. Now, Mr. President, we have heard a lot about the standards of our school for nurses, and I think there can be no question on the facts in the mind of anybody that the standards are high. The state law governs the State of Massachusetts, and our institutions here are governed by our state law. I don't know why, especially in

a time when we are forced to make so many economies, we should worry about New York or any other state in the Union. We have our state law to govern our state nursing training in Massachusetts, and the Superintendent of our City Hospital and the trustees have a perfect right to name any properly accredited person under our state law as superintendent of nurses at the hospital. The law is very plain, that such a nurse must be registered under Massachusetts requirements, must have graduated from a high school and must have passed two years full time in training. There are those at the City Hospital who comply with those requirements. I want to know why Miss Foster, who has practically spent her lifetime in the hospital, having been there since 1909, almost thirty years, and who for three years was acting superintendent, and first assistant superintendent of nurses, was not considered for this position, for which she was well qualified by her training, efficiency and background. I would also like to know why they did not consider Miss Williams, who was second assistant superintendent, entering the hospital in 1914, and Miss Welch, third assistant superintendent, entering the hospital in 1922. Why were they relegated to the background? Why, in preference to these competent and efficient people, were Miss Cecilia Knox of Chicago, Miss Artie Sue Kerley of South Carolina and a Miss Margaret J. Busche of Columbus, Ohio, given these positions of responsibility, in two instances at greater salaries? Oh, I don't think in a city like Boston that we are going to stand for things like that. I know that it is a close corporation that I am fighting, I know what their connections are, but that does not trouble me in the least. They may make vicious attacks upon us and slander us, do anything they want, but I want them to understand one thing that I am fighting for—Boston jobs for Boston girls and Boston boys. There is not a member of the Board of Trustees, there is not a person in the state, city or county, who can say that we have not girls qualified for these positions. Graduates of the City Hospital are known throughout the country for their qualifications and brains. I say to the trustees and authorities of the City Hospital that the morale of the institution has never been worse. I know, because the institution is in my ward, and I am in there every day of the week and know what is going on. I know that the Mayor of Boston has got to make a change there. I say it is about time that this clique that spend three and a half millions of your money had some attention given to them. There is only one thing that we all want to see, as far as the work of the institution is concerned,—we want to see the patients given the best possible, humane care, and they are not getting it today. They are not getting the care that they would have if the staff were under the charge of the Boston City Hospital graduates. There is nothing in our state law, and I understand that there is nothing even in New York law, which states that assistants to the superintendent must be college graduates. Are we in Boston going to stand for this sort of thing? Are we going to see our efficient, Boston girls—such as Miss Foster, Miss Williams, Miss Welch, Miss Sullivan, representatives of the new races we have in our city, displaced by the Ellises, the Knoxes and the Thompsons from other parts of the country, who come in to Boston and say to our girls, "You are not qualified"? I say that will not go in Boston, and I care not what the newspapers say. I contend that I am right, and I will gladly take issue with everyone, the trustees or any of the other hospital authorities, who claim otherwise, on one point that I am fighting for,—Boston jobs for Boston girls. (Applause from the galleries.)

Coun. LYONS.—Mr. President, I don't know very much about Miss Logan, but I am a believer in hearing both sides of any question. If you want an investigation, I would like to have the Hospital Committee investigate the hospital from top to bottom, getting all the facts. I would not know Miss Logan if

she came into the room at this moment, but right is right and wrong is wrong, and we should know the facts before taking action upon matters of this kind. As far as the selection of Miss Logan is concerned, I understand that back in last August, taking the list of qualified nurses for a selection for this position, out of 585 nurses there was one here who was qualified and who would have received the appointment if it had not been for her health. I understand that they then searched the country over and found Miss Logan, who was understood to be a very efficient and highly qualified person. Now, Mr. President and gentlemen, this hospital situation, I think, is not what people understand it to be. I am informed that the morale of the teaching staff and the morale of the City Hospital nurses ever since 1916 has been dropping down, until it has reached quite a low level at the present time. It has infected the nursing staff and the nurses themselves, and the whole trouble is politics. Politics up to the present time have very nearly ruined the City Hospital. We have a hospital which in its equipment and its possibilities cannot be duplicated. It should be perhaps the best one in the world. But the politicians have gone in there and used political influence in getting patients in there and in their treatment after they have been received. For instance, as a result of political pressure, patients who are there and who are ready to go out in two to three weeks, are still retained. I know of a case that has been down there for the last fifteen weeks and has not yet been discharged. I am not standing up for Miss Logan or for anybody else, but I think a discussion like this should be in Executive, where, open to the public, both sides are going to be heard. There should be a fair investigation in which both sides are properly considered. Certainly we should have there a superintendent of nurses, or the head of any department, who will bring the morale of the City Hospital up to the proper standard. I will agree with Councilor Dowd on general principles that Boston girls should be given Boston jobs, but if they have not the qualifications that is something else. There are very few college graduates on the City Hospital nursing staff. A nurse cannot go from the Boston City Hospital at the present time to New York and practice nursing without taking a nurse's examination, and the requirements there are more stringent than they are in our City Hospital. The fact is that there are a thousand and one things that have to be taken into consideration in looking into a matter of this kind, and a proper investigation should cover all sides of the question. When we took our oaths of office we understood that we were to consider simply the best interests of the city, and that is what we should do in a matter of this kind. Speaking of political pressure that is brought to bear at the hospital, I might refer to one recent instance. A girl came in late, at two or three o'clock, and the supervisor on hand more or less reprimanded her. She was reported and expelled at ten in the morning by the board. At four o'clock in the afternoon she was reinstated, due to political pressure brought on the board. That is just an illustration of political pressure being brought to bear at the hospital. If the City Hospital were run the way it should be run, I think Boston would save quite a bit of money in the end. It is frequently not the poor people, who cannot afford to pay who get the benefit of the hospital, but people who can well afford to pay their bills down there. We have expensive X-ray apparatus and other equipment at the hospital, and the poor unfortunates of Boston should get the benefits of it, but in many cases others benefit. So, instead of investigating Miss Logan, let us be fair in the matter. If there is going to be an investigation, let the hospital committee start at the bottom and go to the top, entirely aside from simply Miss Logan's connection with the institution. There are quite a few of Councilor Dowd's questions which I agree should

be asked, and I would like to know the answers. We would all like to know what they are doing up there, but there is really a lot to it, and let us have a real investigation of the hospital from all sides.

Coun. SHATTUCK—Mr. President, in Doctor Manary we have an able and experienced superintendent, and in Mr. Manning, Doctor Sears, Doctor English, Mr. Parker and Mr. Dreyfus we have able and devoted trustees. I believe we should not condemn them without hearing both sides. Furthermore, the issue which has been put forth and repeated time and again as the main issue is, Boston jobs for Boston girls. It would seem to me that the main issue should be to have the best kind of a hospital and the best kind of care for Boston people. You may get the best kind of care sometimes by having people come in from the outside. If so, go and get them. No important hospital, no important library, no important institution outside of politics, which is looking for a head, in filling such an important position confines itself to the locality. They look all over the country to get the best talent to maintain the prestige of the particular school, library or hospital. That is what we should do in this case. The main issue is the patient and not the employee; the care of the patient, and not where the employee comes from. Get the best, no matter where they come from. Let us be fair to the superintendent and the trustees, and suspend judgment until we have heard all sides of this question.

The order was referred to the Executive Committee.

COMMITTEE TO INVESTIGATE NURSING SITUATION.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to appoint a committee of five persons, one member at least of which to be a woman, to investigate the general problem in connection with the nursing service at the Boston City Hospital, and that no member of said committee be connected in any way with the present city government or the administration of the City Hospital.

Coun. DOWD—Mr. President, talking along the line adopted by Councilor Lyons, while it is true that we have a Council Committee on Hospitals, nevertheless, I feel that for a proper investigation we should have a committee of five outstanding persons appointed by his Honor the Mayor, none of whom are connected with the City Hospital, to determine who is right and who is wrong in this matter. I am perfectly willing to leave the decision in their hands, because I am perfectly sure that the Mayor of Boston will pick out the most outstanding men and women he can find. I am firmly of the opinion that the City Hospital should have a thorough and competent investigation, and there is only one way to get it. We cannot get it through the Board of Trustees, who are biased, and it may also be claimed that no committee of the City Council would make a fair and impartial investigation. Therefore, so that no such question may arise, I am asking his Honor the Mayor to appoint a committee of five outstanding individuals to conduct a thorough investigation of conditions at the City Hospital.

Coun. NORTON—Mr. President, speaking on that resolution I believe it is a very fair one, calling upon his Honor the Mayor to appoint a committee of five to make such investigation, and it is to be assumed that the Mayor will place on that committee the most experienced members available, those whose decision would carry the highest authority, in Boston. I for one would like to know the answer to this question.—Why is it that in Boston, the center of American culture, where we have one of the greatest hospitals in the world, in my estimation second to none,

of the thousands of graduates of the nursing school no one is considered competent, with the single exception of the second head nurse in the hospital? I would like that question answered by an impartial board. (Applause from the gallery.)

The order was passed.

CONTRACT WITH OTIS ELEVATOR COMPANY.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of discontinuing the contract, made on December 27 of last year, with the Otis Elevator Company for the repair of elevators at nine hundred and fifty-five dollars per month and two dollars and forty cents per hour for overtime, in view of the fact that the contract runs into over eleven thousand dollars and it appears to be a direct violation of the City Charter.

Coun. DOWD—Mr. President, in offering this order I have particularly in mind the contract referred to in the order, signed by the Board of Trustees of the City Hospital under date of December 27 of last year, prior to Mansfield's leaving office. We all know that the City Charter provides that contracts up to \$1,000 may be made without advertising for bids. But this contract running into over \$11,000 a year, has been let now without advertising for the last few years. Previously mechanics employed in the City Hospital always took care of the service, but for the last few years they have been letting this contract without bids to the extent of over \$11,000 a year. I say that it is a direct violation of the City Charter and that the trustees should be compelled in these days of economy to discontinue such a contract and let the mechanics of the hospital, under the superintendent, take care of that service.

The order was referred to the Executive Committee.

REINSTATEMENT OF JOSEPH MCGREGOR.

Coun. KELLY offered the following:

Resolved, That the Boston City Council favors the enactment of legislation permitting the reinstatement of Joseph McGregor to the Boston Police Department, provided such legislation provides for the referendum to the City Council and his Honor the Mayor.

Coun. KELLY—Mr. President, on Friday, January 21, 1938, the petition of George Ferreira and John Whitten regarding the reinstatement of Joseph McGregor was filed by Representative Coyne of Ward 15, subject to Joint Rule 7a, and was sent to the Committee on Rules under Rule 28, to await the approval of the Mayor and City Council of Boston. The petition reads as follows:

"An Act Authorizing the Reinstatement of Joseph McGregor as a Member of the Police Department of Boston.

Be it enacted, etc., as follows:

Section 1. The police commissioner of the city of Boston shall, and is hereby authorized to, reinstate as a member of the police department of that city Joseph McGregor, a former member of that department, without further examination.

Section 2. This act shall take effect upon its acceptance during the current year by the approval of the mayor of said city subject to the provisions of its charter."

The order was passed under suspension of the rule.

PENSION FOR FRED G. TRASK.

Coun. GALVIN, for Coun. Irwin, offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation

authorizing the payment of a pension to Fred G. Trask, former member of the Boston Police Department, provided such legislation includes a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

REINSTATEMENT OF RICHARD AUSTIN.

Coun. GALVIN, for Coun. Irwin, offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the reinstatement of Richard Austin as a member of the Boston Police Department, provided such legislation includes a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

PENSIONS TO CERTAIN POLICE OFFICERS.

Coun. GALVIN, for Coun. Irwin, 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 such legislation includes a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

COMMENDATION OF HEARST EFFORTS FOR WORLD PEACE.

Coun. GALVIN offered the following:

Resolved, That the members of the Boston City Council in session at Faneuil Hall on Monday, February 14, 1938, do hereby commend the humane campaign of William Randolph Hearst and the Hearst newspapers in bringing to the attention of the people of the world the immediate necessity of humanizing war, and calling for a Congress of Nations to promote world peace; and be it further

Resolved, That a copy of the Boston City Council's actions in historic Faneuil Hall, Cradle of American Liberty, be forwarded to William Randolph Hearst.

Referred to Committee on Rules.

SIREN, THOMPSON SQUARE CHARLESTOWN.

Coun. GALVIN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to place a fire warning siren at Thompson square, Charlestown, for the safety and protection of pedestrians, especially children, and also vehicular traffic.

Passed under suspension of the rule.

SIGNAL LIGHTS, WARD 4.

Coun. CHASE offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install traffic signal lights at the corner of Huntington avenue and Stuart street, Ward 4.

Passed under suspension of the rule.

ANNUITY TO ELIAS J. STEWART.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation providing for the payment of an annuity to Elias J. Stewart, former member of the Fire Department, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

RETIREMENT OF ASSISTANT CLERKS OF COURTS.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to amend the provisions for retirement of assistant clerks of the Supreme Judicial Court and assistant clerks of the Superior Court for Civil Business in Suffolk County, provided that such legislation includes a referendum to the Mayor and City Council.

Referred to Executive Committee.

UNSANITARY CONDITIONS AT DUMP, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to correct at once the unsanitary conditions now being permitted to exist at the dump located in the area of vacant land between Washington street, Gallivan Boulevard and Morton street, Ward 17.

Coun. WILSON—Mr. President, this order deals with a locality which I had occasion to talk about last year, where the city built a sewer across vacant land, and you will remember the man whose name figured in the newspapers at the time. Unfortunately, this particular section has been used as a dump, and the stuff which falls and blows off the rubbish carts on Washington street and side streets not only results in an unsanitary condition in various houses of the neighborhood but fills the catch-basins so that it becomes a dangerous spot at times of heavy rainfall. I urge the adoption of this order, looking to the correction of the unsanitary conditions now existing around that dump.

The order was passed under suspension of the rule.

ORDINANCE RE DEPUTY SEALERS.

Coun. WILSON offered the following:

Be it ordained by the City Council of Boston, as follows:

Chapter 37 of the Revised Ordinances of 1925, as most recently amended by chapter 1 of the Ordinances of 1933, is hereby further amended in section one by striking out the second clause in said section and inserting in place thereof the following:

"There shall be eighteen deputy sealers, and the salary paid to the sealer and to the deputies shall be full compensation for their services."

Coun. WILSON—Mr. Chairman, in offering this order I have in mind the fireproof fuel that was being distributed in our city a year or so ago, and in that connection I was interested to read the resolution passed by the School Committee not so long ago acknowledging the valuable assistance by the Sealer of Weights and Measures and his assistants in dealing with that problem, so far as the schools were concerned. I also had in mind the item I saw in a recent newspaper, containing the amazing information that the Law Department, at a discount of only \$1,000, finally settled the pending suit brought by the sellers of this fireproof coal to the City of Boston. Even with this small deduction the sellers still collected close to 100 cents on the dollar, which I still think is an imposition on the taxpayers of the City of Boston. I believe that the addition of one or two more employees in the department of the Sealers of Weights and Measures would so assist in the regulation and prevention of that sort of thing in the various departments of the city that we would find the same saving in those departments that was experienced last year in the School Department in this matter of coal. I would not for a moment advocate the appointment of even one additional city employee if I were not convinced from conversa-

tion with the late very able Sealer of Weights and Measures, and others who should know, that the appointment of these additional men in that department will save the city thousands of dollars in excess of the salaries involved.

The ordinance was referred to the Committee on Ordinances.

DEMOLITION OF CITY-OWNED DILAPIDATED BUILDINGS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to give early consideration to the demolishing of all dilapidated or vacant buildings on parcels of real estate now owned by the city, following tax title foreclosure, such demolition to be recommended as a suitable W. P. A. project.

Passed under suspension of the rule.

INFORMATION RE BOSTON HOUSING AUTHORITY.

Coun. WILSON offered the following:

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to advise the City Council in writing:

1. What was the total cost to the city for Old Harbor Village, including a. The cost of the 1,274,582 square feet of land. b. The cost of any buildings on the land.

2. The number of apartments in each proposed classification at Old Harbor Village.

3. The contemplated rental to be charged for each class of apartments in Old Harbor Village.

4. The minimum and maximum income to be permitted a tenant moving into an apartment of each classification at Old Harbor Village.

5. In the proposed service charge to be made by the City of Boston at Old Harbor Village, was the item of \$9,264 to be in addition to the payment of water rates?

6. According to any survey made either by the National Housing Committee or the Boston Housing Authority, how many dwelling units are needed in Boston? a. In the rental group under \$20 per month. b. In the rental group under \$30 a month.

7. In view of the fact that families receiving a welfare allowance are permitted to become tenants in the Cambridge housing project, is the barring of such families from Old Harbor Village a matter of policy or because such families cannot be legally permitted to become tenants?

Ordered, That the minutes of meetings of the Boston Housing Authority be available to the public, together with any available data in the possession of the said Housing Authority, relating to the cost of land and buildings in the South Boston project and the number of apartments in each classification with the contemplated rentals to be charged for same.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council promptly:

1. In brief, what was the contention of the Law Department of the City of Boston relating to the right of the city to tax Old Harbor Village, as contained in the opinion of Corporation Counsel Foley, now in the files of the Law Department?

2. What is the present contention of the Law Department relating to the right of the City of Boston to assess a real estate tax on Old Harbor Village?

3. Exactly what steps are now contemplated by the city authorities to establish the right of the City of Boston to collect a real estate tax on Old Harbor Village?

4. Exactly what is the extent of the authority of the State Housing Authority to fix

the amount of a service charge to be paid the City of Boston in lieu of real estate taxes on Old Harbor Village?

5. From the viewpoint of whether the real estate may be legally taxed by the City of Boston, what is the legal distinction, if any, between the Old Harbor Village project and the several housing projects now under consideration and contemplated for Boston, following the tentative allocation of \$9,000,000 by the United States Housing Authority to the Boston Housing Authority for slum clearance and low rent housing?

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to instruct all division commanders to report officially the total number of vacant apartments in each police division in the city, giving the total number in any event, but preferably the number of vacant single dwellings, the number of vacancies in two-family houses, the number in three-family houses, and the number of apartments vacant in buildings constructed to house four or more families.

Coun. WILSON—Mr. President, I regret that all twenty-two members of the City Council could not have been present at the public hearing last Friday in Faneuil Hall to hear one of the four Council appointees on the Boston Housing Authority tell your committee that such information as we are entitled to might be obtained from reading the newspapers. Mr. John Carroll, who in my opinion has no right to serve on both the state and the city housing boards at the same time, there being a state appointee already on the Boston board, stated in effect that neither rental rates nor lease terms were any business of the City Council or of the taxpayers of Boston, until after arrangements with the Government had been entirely completed. I still believe that the people of Boston and their elected representatives in the city government have every right to know what is going on behind the scenes. I believe we have the right to know in advance what set of facts can possibly justify the substitution of a nominal service charge for a quarter of a million dollars annually in taxes, or why 1,016 chosen families, many of them with annual incomes of \$2,000 a year, should be provided with \$60 apartments for \$30 a month, at the expense of the rest of the property owners and rent payers of Boston. For the benefit of those members of the Council who were present, and who heard Mr. Carroll deny that any authority had been given for the erection of any Boston Housing Authority signs at Old Harbor Village, let me say that an eight-foot signboard on the premises Saturday advertised the Boston Housing Authority management office in letters eight inches high. If the Boston Housing Authority continues un-answering, not only for Old Harbor Village but for two or three more similar housing projects in Boston, we will find that we have created a Frankenstein monster to destroy every property owner and taxpayer in Boston.

Therefore, I have offered these orders, submitting to the Mayor questions to the Housing Board, the Law Department and the Police Department. The Committee on Rules, previous to the hearing it held on Friday, sent to the Law Department, the Mayor, the Board of Assessors and the City Collector and members of the Boston Housing Authority, forty-six questions. They were sent a week in advance of the hearing, so that there might be a time for examination, and they were questions which everybody, except Mr. Carroll, I believe, felt were fair, reasonable and proper questions to ask. But we encountered the same trouble that has been met all through this entire housing discussion, even going to an unwillingness to disclose the facts as they really are. In fact, the member of the Boston Housing Board who was present stated that he felt that the Board should consummate all arrangements with the Government, even for the construction of additional housing projects,

including rental rates and classification of families, first, after which the general public and the City Council would be entitled to fair consideration and presentation of the facts so that they might know what was going on. In order that the Law Department and the Housing Authority may have before them the questions which I feel most nearly strike at the heart of the proposition, I have, therefore, supplemented the earlier letter sent to them in this order, which I believe should be passed by this body, because I believe the board of directors of the City of Boston, the members of the City Council, who will be asked to vote on any bond issues or loan orders passed in reference to housing, should as a matter of fact be entitled to receive the information which we have asked for. When we have appointed four out of the five members of the Housing Authority, I believe this board of directors of the City of Boston is entitled to know now, for instance, what the findings of the Law Department were under the Mansfield administration, when the Mayor made his tentative arrangement with the United States Housing Authority. I believe this board of directors of the City of Boston is entitled to know now what the present legal standing of the corporation of the City of Boston in this matter is, and I assume that the present Mayor of the City of Boston will very likely take that view. It is for that reason that I have presented these questions at this time, to be sent, through the Mayor's office, to the Boston Housing Authority and the office of the Corporation Counsel. Another interesting item came up at that hearing, through the statement of Mr. Greene and other persons who appeared before the committee, to the effect that any real survey or any survey at all by the City of Boston to ascertain whether there are any vacancies would be a long drawn-out process, and I felt that the Housing Authority should not go ahead on Old Harbor Village and two or three other projects without finding out first the tenement vacancy situation in the City of Boston. While it may not be the best way to do it, I have offered an order requesting the Police Commissioner of Boston to instruct the division commanders of the different divisions of the city to do what I say will take only a day or two at the most,—not obtaining information as to ownership or rental amount, but to report back to the Police Commissioner and the Council, through police reports from all police divisions, the number of vacancies in the City of Boston, in vacant dwellings, two-family houses, three-family houses, and the number of apartments vacant in buildings constructed to house four or more families. I say that the Mayor and the members of the City Council are entitled to this information at once.

Coun. TAYLOR—Mr. President, when Councilor Wilson introduced his order for a public hearing on this matter, I was not inclined to vote in favor of it, because I felt that all the information necessary could be gathered by any councilor or any citizen by going to the Housing Authority. I felt, therefore, that it was unnecessary to have the hearing, that we could gain that information ourselves without ordering a public hearing. But I was rather astounded when I appeared in this hall last Friday and listened to a man whose appointment was ratified by this body practically insulting the intelligence of the membership of the body by refusing to answer questions that were simple and clear and the answer to which would have helped to give the body information about what was going on. I was astounded to find that the records and minutes of the Boston Housing Authority were not open to the public. I, as one member, favor these housing projects, and I certainly hope they will continue farther and farther. I appreciate the fact that at the start they are going to work a hardship on some, and that will have to be ironed out. But I certainly believe that all public acts of such a body should be open to the public, and that no man has a right to come before this body, particularly when his appointment

has been ratified by the body, and act as an autocrat, as though he were a superior being and not obliged to give information that I consider that not only the City Council but the entire City of Boston are entitled to. I wish to agree with Councilor Wilson, and I hope we can get the information we desire through these requests to his Honor the Mayor.

Coun. NORTON—Mr. President, I certainly am surprised that a member of the Boston Housing Authority should take such a position as this member did take before this body. We want all the information we can get on this housing question, all the light that can be afforded, because it is leading up to a marvelous thing. The idea is fine, to provide proper housing for the low-income group that cannot find proper housing today. It is unfortunate that we should have started off with a black eye in this respect, but I understand it to be the fact that the Housing Authority themselves don't know where they are at at the present time. Even though they take over the project from the Federal Government, it has certain strings on it. It is true that there has been a sign erected on the property. I understand that the sign was put up by the Federal Government. It is understood that eventually this unit will be turned over to the Boston Housing Authority for operation. If the Federal authority is able to come to an agreement with the Boston Housing Authority, the Boston Housing Authority will go ahead and run the project. But we must bear one thing in mind, Mr. President. You and I can sit down and make out a list of questions that no authority can possibly answer. We can formulate a list of questions here on any subject, and submit them to any board, and at the end of two years there will undoubtedly be certain of those questions which the Board cannot specifically and definitely answer. We had an illustration of that on the Hyde Park Playground. The Government was ready with \$250,000 earmarked, which would put 250 men at work and not a nickel was to come out of the city treasury. That was used for playground purposes. Questions were formulated that the Corporation Counsel is still attempting to answer. That is so when it comes to any activity of this kind. The same is no doubt true of some of the questions now being asked by the councilor from Ward 17, (Coun. Wilson). But if he or the councilor from Ward 5 (Coun. Shattuck) wants to see what has been done in the Hyde Park case with the money turned over by the Federal Government, they can go out and see the beautiful playground that has been provided near that suburban high school. So you can prepare lists of questions on any of these matters that will take the Corporation Counsel or somebody else some time to answer. Now, I am for housing. I want these people who think we are going to take tenants out of good homes to appreciate that if there is a tenant who comes out of an apartment fit to live in and goes into one of the homes in this South Boston housing project, it has been a failure. Get that point. The answer is this, that there are at least fifteen of these housing projects operating throughout America, and we challenge the opposition to point to one family in such a project which should not be there. And that challenge is made here, whether they come from an apartment in Back Bay, Dorchester or Hyde Park. I say that this is a good, progressive idea. Let us help it along, push it along, all we can. What are they trying to do? Take unfortunate people from places unfit for habitation and place them in warm, decent living apartments with proper environment, in a nice part of South Boston near the Strandway. Who is there here who sees any harm in that idea?

Coun. CAREY—Mr. President, I come from a district where a great number of the people would no doubt be benefited by a housing project. As a matter of fact, one of the papers last week had a front page showing where two weeks ago Representatives at the State House and members of the City Council gathered in that section and advocated the

securing of housing projects for the district. We have heard a great deal concerning these housing projects and concerning what is termed slum clearance. I for one would like to know what is going to happen to these people in these so-called slum areas. We all know what is taking place all over this city in the way of changed conditions, and where are these people with small income going to go? We are hearing considerable today about taxes in connection with projects of this kind. Of course, the people going into those houses are going to have fire protection and proper sanitary facilities, are going to have the same protection in all these things that they would be receiving in proper homes in the sections from which they are coming. I don't think it is fair to the rest of the people who are struggling to maintain their families, to ask them to pay taxes, if this area is to be tax-free so far as the City of Boston is concerned. So far, I don't know whether taxes are to be paid or not. I do think the order offered by Councilor Wilson is a very good one, and that we should do all we can to bring all the operations of the Housing Board into the open. I am at a loss at the present time whether to say to the people of my district that we should or should not have a housing project there. I do think that this Board should furnish to members of the City Council and to the public all available knowledge as to the benefits of housing projects. They should act as a sort of census bureau. As to the members of the Housing Board, I certainly don't know where they are at, although they have been functioning for quite awhile. I think it might be well for them to have open meetings and to make themselves open to criticism and helpful suggestions. We might then know what this is all about. There are too many people today holding on by a pretty tenuous string, and who need all the information and help they can get. I think the time has come when we should get an idea of what this housing act is, so that each and every one of us may go back to the people and acquaint them with the advantages and disadvantages of housing projects.

The orders were passed.

CIGARETTE VENDING MACHINES.

Coun. WILSON offered the following:

Ordered, That the Committee on Ordinances, after consultation with the Law Department, consider a proposed city ordinance in line with the following: Use of vending machines for sale of cigarettes prohibited. No person, firm or corporation, with or without a retail tobacco dealer's license, shall locate, install, keep, maintain or use, or permit the location, installation, keeping, maintenance or use upon his or its premises, of any vending machine, automatic vending machine, or coin-controlled or coin-operated machine, or other mechanical device used or intended to be used for the sale or distribution of cigarettes.

Coun. WILSON—Mr. President, I might state that the wording of that order—which, of course is only tentative—is the exact wording of the ordinance passed by the city of Chicago on December 2, 1936. I would urge as an argument in favor of the passage of such an ordinance the fact that, of course, in connection with the sale of cigarettes in an automatic vending machine there is absolutely no assurance of quality. Also, they are frequently sold at a higher price than would be obtained across the counter; besides which there is no way of preventing, when you are using automatic vending machines, sales to minors and children, expressly forbidden under our existing statutes. I also have especially in mind the implication of these vending machines throughout the country, and particularly in Boston and Massachusetts, that they only add to unemployment.

The order was referred to the Committee on Ordinances.

LICENSING OF VENDING AND MUSICAL MACHINES, ETC.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prepare promptly for consideration by the City Council Committee on Ordinances a proposed form of ordinance for the licensing and regulation of (1) mechanical electric music machines now generally being installed in Boston hotels, night clubs and other places of amusement as a substitute for orchestra music; (2) coin-controlled or automatic vending machines for the mechanical sale of candy, nuts or food in hotels, restaurants, stores, railroad stations or public places; (3) automatic weighing machines; (4) so-called strength-testing machines and games of skill.

Coun. WILSON—Mr. President, the order I first introduced, having to do with the sale of cigarettes by means of automatic vending machines, was in the nature of a direct prohibition. The present order, with reference to these other machines, looks to these devices being licensed and put under supervision. I feel that an adequate license fee would at least be a source of revenue to the City of Boston, and that it would be in line with the present supervision by the Board of Health of such machines as purvey candy or foodstuffs. I have in mind that these musical machines are now being installed in various taverns and hotels in the City of Boston. In fact, I understand it has been proposed to do away with the orchestra in such places as the Copley-Plaza Hotel and that such arrangements are being considered in the Metropolitan Theatre and in other places throughout the city. I believe if these machines are to add to the present unemployment situation in Boston the least that can be done is to keep them under supervision and to obtain from them a reasonable license fee. This is not intended to be anything radical, because, if I am correctly informed, the United States Government itself has recently made restrictions which limit the amount of electrical transcription of music that can be sent over the radio. Therefore, I urge early action by the Committee on Ordinances.

Coun. GALVIN—Mr. President, I want to record myself as heartily in favor of Councilor Wilson's order. The tendency of the use of these machines in various places will certainly be to increase unemployment, and I am in favor of at least having some sort of license fee required for the use of the machines. I dislike to see anything introduced in this city which will tend to increase the dependence of people upon the Welfare Department.

The order was referred to the Committee on Ordinances.

RECESS.

The Council at 3.53, by direction of President KERRIGAN, took a recess subject to the call of the Chair, reassembling at 4.31 p. m.

Coun. SHATTUCK in the chair.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order (referred today) that a committee of five investigate problem re nursing service at Boston City Hospital—that same ought to pass.

Report accepted; said order passed.

2. Report on order (referred today) asking information from trustees of City Hospital re Superintendent of Nurses—that same ought to pass.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) recommending adoption of ordinance revising salaries of various city officers—that same ought to pass.

Coun. WILSON—Mr. President, I wish to record my views in the open meeting of the Council, as I did in Executive Committee. I am in accord with the Mayor's steps in looking to economy, preferably starting at the top, and am glad to see that his efforts are along that desired line. I personally feel, however, that the Council should go thoroughly into the question of all department head salary cuts, as well as giving consideration to the need, for instance, of three Transit Commissioners and three Street Commissioners. I repeat that I am heartily in accord with the Mayor's efforts looking to economy, but at the present time I shall vote against this ordinance, because I feel that the entire subject should be covered. I know that the members of the Council have given no consideration whatever to the matter other than what they have seen in the newspapers and what they have obtained by a brief glance at the ordinance itself.

Coun. AGNEW—Mr. President, may I ask the councilor from Ward 17 if he does not consider, in view of the precise communication that we have received from the Mayor, that as men of ordinary intelligence we should be able to pass at once upon and understand such a plain and simple matter? The councilor says that we have not given it any consideration. How much time or prolonged consideration do we have to give to such a simple message? If the councilor from Ward 17 can show me that I have not, from a reading of the message from the Mayor, been able to give sufficient consideration to the facts therein contained, I will gladly listen to him.

Coun. WILSON—Mr. President, I am answerable only for my own vote in this body. I shall not make any effort to convince any member of the Council whose mind has been obviously made up. I still believe that the Council has given no consideration to the general question of the salary basis of department heads in the City of Boston. I still consider that no consideration at all has been given to the number constituting the Transit Commission, or the Board of Street Commissioners, and that no consideration whatever has been given to the question whether the cuts made by the Mayor are sufficient under all the circumstances.

Coun. ROSENBERG—Mr. President, I move that the ordinance lie on the table until the next meeting. There is no question but what in view of the city's financial condition some steps must be taken to protect the taxpayers and at the same time preserve the financial security and credit of our city. The Mayor of our city is undeniably attempting to bring about certain changes that in his wisdom and judgment will be for the best interests of the taxpayers and residents of our city. The matter proposed by the Mayor should be carefully studied and that I intend to do. I also believe that there should be a greater cooperation by the School Department and county organizations in the matter of expenditures connected with their departments commensurate with the financial problem that faces the taxpayers of Boston. These are trying times and as such it calls for courageous leadership to outline a program that will attempt to save the city from its present plight and to bring about as near as possible a pay-as-you-go policy. The present proposal will and should receive our careful attention. Will there be a possibility of a stagger system being made necessary for all or a majority of the employees of the city in that control which comes directly under the supervision of the Mayor and the Council? I am confident that the taxpayers of Boston want action that is taken after full and proper attention has been given to the matter and not prepared upon hasty judgment. I shall act at the proper time in a manner that I deem for the best interests of the taxpayers, the city and the residents of our city, to the end that we may be able to preserve and protect the small home owners and do everything possible for the City of Boston that will keep faith in its business, bring new enterprises into our city and keep the confidence in city governmental operations. Therefore I move to lay the matter on the table.

Coun. Rosenberg's motion to lay on the table was declared lost.

Coun. DOWD—Mr. President, I don't believe I am talking for myself alone, but that I voice the opinion of many members of the Council, when I say that the Mayor no doubt studied this program very deliberately and carefully before sending it to this Honorable Body and that most of the Council absolutely agree with him. I have in past years advocated such steps. I think we owe it to the great mass of 21,000 low-paid city employees to protect them, and I believe that is what the Mayor wants to do, that he under no circumstances, in my opinion, will attempt to cut the low-salaried employees. I think the public will agree with the City Council when we say that a man receiving \$7,000, \$8,000 or \$9,000 a year in these times can well afford at least a slight pay cut. While it is true that some of those men will lose slightly on their pensions no one can tell me that men holding jobs from which they get \$5,000, \$6,000, \$7,000, \$8,000 or \$9,000 a year have not at least a thousand men looking for each of those jobs and that they are very fortunate to hold them. We want in these times to do everything we can to protect those getting small incomes, and one way of protecting them, preventing any cut being made in their salaries or wages, is to make a reduction in some of the higher paid salaries. I believe we should stand absolutely behind the Mayor in this matter. We want to economize, want to save our institutions, want to protect our low-paid employees. Therefore I absolutely concur and agree with the Mayor and hope that we will take favorable action upon this matter today.

Coun. TAYLOR—Mr. President, I had exactly in mind what Councilor Dowd has said, with perhaps the addition of another thought. It is absolutely true that the Mayor is right in starting at the top. As Councilor Wilson says, this matter may go farther. But certainly an opportunity is offered to us at this time to stand behind the Mayor in his economy drive. I think we all feel that in times like these, when we are trying to keep up our high standard of living, while such cuts as are here proposed are justified, there should be no cut in the lower-salaried brackets. I believe, too, that the Mayor in his wisdom will be extremely careful in cutting salaries of city employees who are career men. I think it would be unfair to a man starting at the bottom and working for the city a countless number of years and finding himself finally in a well-earned higher position, to have his pay cut. I am, however, in hearty accord with the Mayor in this move that he is now making. It does seem proper that these higher salaried men should not now receive quite the salaries that they would receive in times of greater prosperity. I am confident that the Mayor is now on the right track, and I know that he will go along with wisdom in this path not cutting the returns received by those who need every dollar they earn.

Coun. SULLIVAN—Mr. President, I believe all of our twenty-two members find it hard to sympathize with the men in the higher brackets whose salaries are to be slightly reduced by this measure. I am fully in accord with the proposed reduction in the salaries of the higher positions and am heartily in favor of the step taken by the Mayor. I think it is a step forward, in the right direction.

The ordinance was passed.

REPORT ON COMMITTEE ON RULES.

Coun. GEORGE A. MURRAY, for the Committee on Rules, submitted the following:

1. Report on resolution (referred today) commending humane campaign of William Randolph Hearst for world peace—recommending that same ought to pass.

Report accepted; said resolution adopted.

THE NEXT MEETING.

On motion of Coun. CAREY it was voted that when the Council adjourn it be to meet on Monday, February 28, at 2 p. m.

PENSION FOR KIN OF JAMES SREENAN.

Coun. NORTON offered the following:
Ordered, That the Fire Commissioner of Boston, through his Honor the Mayor, advise the Council relative to the status of the matter of a pension for the kin of the late James Sreenan.

Passed under suspension of the rule.

HYDE PARK WHITE FUND DENTAL UNIT.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston request the Superintendent of Public Buildings to provide space at the Hyde Park Municipal Building for a White Fund dental unit.

Passed under suspension of the rule.

MORE INVESTIGATORS, HYDE PARK AREA.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with the Director of Public Welfare relative to providing more investigators in the Hyde Park area.

Passed under suspension of the rule.

PICTURES SHOWN IN PUBLIC BUILDINGS.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston confer with his Art Commission relative to the advisability of conferring with officials of the Boston Art Museum relative to having certain pictures shown at railroad terminals and public buildings in Boston.

Passed under suspension of the rule.

COURTEOUS SERVICE BY COUNCIL POLICE OFFICERS.

Coun. NORTON offered the following:
Ordered, That the Council express to his Honor the Mayor their opinion of the efficient and courteous manner in which police officers assigned to the Council have performed their duties under Sergt. Edward Ryan.

Passed under suspension of the rule.

REOCCUPANCY OF COUNCIL CHAMBER.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston consider the advisability of advising the Council as to when the Council Chamber will be ready for reoccupancy.

Passed under suspension of the rule.

PARKING SPACE UNDER BOSTON COMMON.

Coun. NORTON offered the following:
Ordered, That the Mayor of Boston consider the advisability of having a study made relative to providing a parking space under the Boston Common.

Passed under suspension of the rule.

DEATH OF MAYOR TOBIN'S FATHER.

Coun. CAREY offered the following:

Resolved, That the City Council of the City of Boston hereby records its deep and sincere sympathy to Mrs. James Tobin and family, and to Mayor Maurice J. Tobin, because of the sudden and untimely death of James Tobin, husband and father, whose lifetime was a striking example of love and devotion to his country, his city, his church and his family; and whose passing from this world is

regretted by the citizens of Boston who have recognized his qualities and his character by the elevation of his eldest son to the office of Mayor of Boston.

The resolution was passed by a unanimous rising vote.

Coun. CAREY—Mr. President, as a mark of further respect, I move that we adjourn at this time.

Coun. Carey's motion was carried, and the Council stood adjourned at 4.47 p. m., to meet on Monday, February 23, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 28, 1938.

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

APPROPRIATION FOR BOSTON HOUSING AUTHORITY.

The following was received:

City of Boston,

Office of the Mayor, February 28, 1938.
To the City Council.

Gentlemen,—In connection with the Boston Housing Authority taking over the Old Harbor Village project, it will be necessary that certain appropriations be made available for the Boston Housing Authority.

The money so appropriated will be a first charge against revenues from the project and will be returned to the city treasury before the close of the year.

The attached letter from the chairman of the Boston Housing Authority explains the purposes for which this appropriation is required, and I consequently submit herewith an order appropriating twenty thousand dollars for the Boston Housing Authority for the initial expense of such Authority and respectfully request immediate passage of the order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston, February 24, 1938.

The Honorable Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—This letter is to request that an appropriation of \$20,000 be made available for the Boston Housing Authority for its use during the remainder of the current year. The money will be used for the following purposes:

1. The expenses in connection with taking over Old Harbor Village, particularly the expenses in connection with the investigation of tenant eligibility.
2. Further study on projects already initiated.
3. For development of new projects.
4. General administration of the Housing Authority.

Sums of money spent in connection with the Old Harbor Village project will be a first charge against revenues of the project and any sum spent in that direction will be returned to the city treasury on or before December 31, 1938. It is also permissible for the Housing Authority to charge against the operation of any project a pro rata share of its own administrative expenses. Such sums of money as are collected from the projects in this manner will be reimbursed to the city treasury as they are received.

Inasmuch as we anticipate commencing tenant selection during the week of February 28, it is important that these funds be made available immediately.

Very truly yours,
JOHN A. BREEN, Chairman.

Ordered, That the sum of twenty thousand dollars be, and hereby is, appropriated, to be expended by the Boston Housing Authority, for the purpose of defraying initial costs and expenses of said Housing Authority, including the following:

1. The expenses in connection with taking over Old Harbor Village, particularly

the expenses in connection with the investigation of tenant eligibility.

2. Further study on projects already initiated.

3. For development of new projects.

4. General administration of the Housing Authority.

and for the general prosecution of its duties; said sum to be charged to the Contingent Fund when made.

Referred to Executive Committee.

Later in the session Coun. FITZGERALD said:

Mr. President, I move reconsideration of the reference of the Mayor's message in regard to housing to the Executive Committee. The motion to reconsider the reference was carried, and the question came on the passage of the order submitted by the Mayor.

Coun. FITZGERALD—Mr. President, I don't see why that order was referred to the Executive Committee. We have a good deal of business before us this afternoon, and I think whatever is to be said upon this matter should be said right here and now, and should be made a matter of record in the minutes of the Council. I don't believe in going into this matter in executive session at this time. We went over that housing project yesterday. I think we all understand the situation, and I think whatever we have to say should be now made a matter of public record and that we should take action as soon as possible. Let us have it right out here in open session. If we are to have a lot of discussion in the Executive Committee and then a lot more discussion here, time will be wasted. Let us discuss it here and now, and let those who are for it and those who are against it be so recorded. I think the Council got a different point of view yesterday than it had before we went over there. That is my opinion. But I think we should have made up our minds, and why go into Executive for an hour and then spend another hour upon the matter here. I do not believe in wasting time upon it. Let us discuss it and decide it right here and now.

Coun. SHATTUCK—Mr. President, I, for one, would like to know a little more about it before I vote on it. This proposes an appropriation of \$20,000. If it goes into Executive Committee, it can be explained so that every member of the Council will understand it and know just what it means.

Coun. WILSON—Mr. President, of course I disagree with my good friend from Ward 8 (Coun. Fitzgerald) in reference to wasting time on an important issue such as the housing situation in Boston. To my mind, time spent in discussing an important question of that kind is not wasted. I entirely agree that we have the Old Harbor Village project completed, and have it whether we like it or not. I don't believe that anybody in the room objects to Old Harbor Village as it stands, but the question is, who is to live there? The chief question is, whether the City of Boston is expected to underwrite these projects, and this order that has been submitted to us here today, for the appropriation of \$20,000, is the first and finest evidence I have seen that when the thing really comes to a showdown, whether these projects pay for themselves or not, the dear old taxpayer of the City of Boston pays the bills. It certainly looks at the present time as if the City of Boston is underwriting this Old Harbor Village project. I share the desire of Councilor Shattuck to check up the amounts that have been spent by the Boston Housing Authority, and what the \$20,000 is really necessary for. Without disrespect, I personally wondered, when I read the papers, whether it was really necessary for the Mayor and the Housing Authority, a party of five or six men, to go to Washington last week merely to decide whether the service charge should be \$9,000 or \$15,000 for the present year. There certainly must have been considerable expense in connection with that trip. The order was referred to the Executive Committee.

OBSERVANCE OF EVACUATION DAY.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter received from Louis J. Brems, Director of Public Celebrations, relative to your order of January 24, 1938, concerning an appropriation for the observance of Evacuation Day in South Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Office of the Mayor, February 3, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am in receipt of your communication, together with a copy of the City Council order concerning the provision of a sufficient sum to be provided for the proper observance of Evacuation Day in South Boston.

As per my conversation with the Evacuation Day Committee an appropriation of \$2,400 has been set aside for the Evacuation Day celebration in South Boston, Mass.

Very truly yours,
LOUIS J. BREMS,
Director of Public Celebrations.
Placed on file.

CITY HOSPITAL SUPERINTENDENT OF NURSES.

The following was received:

City of Boston,
Office of the Mayor, February 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from Joseph P. Manning, President, Board of Trustees of the Boston City Hospital, relative to your order of February 14, 1938, concerning the Superintendent of Nurses and Assistant Directors of Nurses.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, February 18, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor.—The trustees of the Boston City Hospital acknowledge receipt of the letter of transmittal from Mr. W. T. Doyle, chief clerk, dated February 14, 1938, with attached vote of the Boston City Council passed February 7, 1938.

In answer to the requested information therein contained, the trustees respectfully submit that the positions of Superintendent of Nurses and Assistant Director of Nurses as now established are essential for the proper functioning of the Boston City Hospital.

The trustees further desire to inform the Honorable City Council that after careful investigation they were unable to find residents of the City of Boston duly qualified under the requirements of the Massachusetts Board of Registration of Nurses willing to accept these positions, and it was therefore necessary to obtain the services of persons other than residents of the City of Boston. The trustees believe that in so doing they have acted in the best interests of the patients of the Boston City Hospital and the people of Boston.

Respectfully yours,
JOSEPH P. MANNING,
President, Board of Trustees.
Placed on file.

REPLACEMENT OF HEMENWAY SCHOOL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, February 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith a communication from the School Committee relative to

your order of January 24, 1938, concerning the replacement of the Hemenway School building in the Readville section.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
School Committee, February 11, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—At a conference of the School Committee held in this building yesterday afternoon, the committee received the order passed by the City Council January 24, 1938, asking the School Committee to consider the advisability of replacing the Hemenway School building in Readville with a more modern structure, to be located elsewhere in that section.

The School Committee would respectfully report that it has for some time realized the need of a more modern building in the Readville section, and several years ago a site was purchased for a new school building. Because of the limited funds available for land and buildings during recent years, and because of pressing needs in other sections of the city, it has not been possible to make appropriation for the construction of a new building.

When money shall be available, the School Committee will again give serious consideration to the school needs of the Readville section.

Respectfully yours,
ELLEN M. CRONIN, Secretary.
Placed on file.

VISITORS OF WELFARE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, February 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from C. P. Warren, vice chairman of the Overseers of the Public Welfare, relative to your order that all visitors to that department be treated in a more humane and courteous manner.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
February 2, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with which is inclosed copy of an order from the City Council reading as follows:

"Ordered, That all supervisors of the Public Welfare Department be requested, through his Honor the Mayor, to advise all visitors in the department to treat all recipients of welfare in a more humane and courteous manner than they are doing at the present time."

The Board of Overseers has always insisted that the staff of the department be courteous and considerate in dealing with recipients of aid.

The Board cordially invites Mr. Dowd, who presented the order to the City Council, and any other member of the Council who so desires, to appear at a meeting of the Board and to present whatever evidence of discourtesy he may have or to inform the Board on any other points raised by Mr. Dowd.

Very truly yours,
C. P. WARREN,
Vice Chairman.
Placed on file.

VETO OF HART BUS LINES PERMIT.

The following was received:

City of Boston,
Office of the Mayor, February 21, 1938.
To the City Council.

Gentlemen,—I return herewith and disapproved the permit granted by your Honorable body on February 7 to the Hart Bus Lines,

to operate motor vehicles from the Revere line to Maverick square.

Under the law, I am permitted fifteen days in which to approve or reject such a permit. The fifteen-day interval since the granting of this permit by your body has been such a busy one for me that I have had no opportunity to give this matter full consideration.

Under these circumstances, though I veto the permit, I do so without prejudice. If the matter again comes before me, I shall give it due consideration.

Respectfully,
MAURICE J. TOBIN, Mayor.

Placed on file.

W. P. A. ACTIVITIES.

The following was received:

City of Boston,

Office of the Mayor, February 24, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Charles J. Fox, City Auditor, relative to your order of January 24, 1938, relative to

information concerning W. P. A. activities in the years 1935, 1936 and 1937.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, February 23, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—In response to the attached Council order requesting information concerning W. P. A. activities in the city in the years 1935, 1936 and 1937, I submit herewith the attached table which indicates the actual cash expenditures of city departments for W. P. A. projects in the years in question.

I am unable to furnish the information requested in paragraph (b) of the order, since this department has no record of the actual contributions made by the Federal Government for its share of project expenses. Undoubtedly this information may be secured from the State headquarters of the W. P. A.

Respectfully,
CHARLES J. FOX, City Auditor.

W. P. A. EXPENDITURES.

| DEPARTMENT. | 1935. | 1936. | 1937. |
|---|----------------|----------------|----------------|
| Assessing..... | \$1,071 23 | \$994 06 | \$1,774 28 |
| Auditing..... | 358 91 | 488 62 | 1,534 62 |
| Boston Traffic Commission..... | 4,345 63 | 4,210 66 | 4,632 11 |
| Building..... | 7,573 24 | 3,183 03 | 2,047 65 |
| City Planning Board..... | 6,974 20 | 23,402 51 | 7,872 56 |
| Election..... | 4,752 33 | 8,618 02 | 7,445 21 |
| Fire..... | 1,952 81 | 6,823 87 | 10,363 58 |
| Health..... | 9,667 68 | 5,616 39 | 3,541 40 |
| Hospital..... | 199,993 35 | 114,316 62 | 113,710 16 |
| Sanatorium Division..... | — | — | 16,480 45 |
| Suffolk County Courthouse Custodian..... | 29,329 97 | 19,797 51 | 14,323 71 |
| County Buildings..... | 17,879 13 | 8,341 80 | 5,031 69 |
| Municipal Court City of Boston..... | — | 101 00 | 184 85 |
| Institutions Department: | | | |
| Long Island Hospital..... | 15,333 61 | 13,580 39 | 18,854 32 |
| Law Department..... | 1,457 45 | 1,589 26 | 909 70 |
| Library..... | 25,722 79 | 64,840 23 | 62,072 41 |
| Park..... | 359,899 97 | 382,127 38 | 366,038 60 |
| Police..... | 7,014 74 | 16,244 56 | 18,935 30 |
| Public Buildings..... | 78,587 58 | 58,690 19 | 84,570 81 |
| Public Welfare: | | | |
| Central Office..... | 60,660 82 | 58,238 90 | 132,051 79 |
| Public Works: | | | |
| Paving Service..... | 237,425 62 | 340,766 42 | 249,991 41 |
| Sanitary Service..... | 1,353 70 | 644 27 | 25,742 00 |
| Water Service..... | 6,761 05 | 85,404 10 | 93,241 57 |
| Registry..... | 6,019 16 | 22,680 78 | 13,443 62 |
| Soldiers' Relief..... | 195 55 | 798 13 | 357 65 |
| Statistics..... | 949 37 | 2,311 47 | 440 56 |
| Street Laying-Out..... | — | 2,225 40 | 1,230 40 |
| Supply..... | 892 28 | 10,870 51 | 11,378 93 |
| Art..... | 16 02 | — | — |
| City Council..... | 40 00 | — | — |
| Mayor..... | 19,715 61 | — | — |
| Printing..... | 215 63 | 1,293 03 | — |
| Public Welfare: | | | |
| Wayfarers' Lodge..... | 7,035 50 | — | — |
| Public Works: | | | |
| Bridge Service..... | 6,284 97 | — | — |
| Ferry Service..... | 1,174 78 | — | — |
| Sewer Service..... | 1,443 02 | 354 96 | — |
| Reserve Fund..... | 19,275 22 | — | — |
| Treasury..... | 17 50 | 180 00 | — |
| Medical Examiner — Southern Division..... | 27 00 | — | — |
| Budget..... | — | 170 05 | — |
| Public Works: | | | |
| Summer Traffic..... | — | 250 80 | — |
| Boston Juvenile Court..... | — | 98 40 | — |
| Transit..... | — | 151,251 55 | 323,536 77 |
| Sewerage Works..... | 967 77 | 78,344 36 | 259,603 66 |
| Totals..... | \$1,142,394 19 | \$1,488,858 31 | \$1,851,341 77 |

Placed on file.

CONSTRUCTION OF LAROSE PLACE.

The following was received:

City of Boston,
Office of the Mayor, February 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from E. M. Richardson, Commissioner of Public Works, relative to your order of January 31, 1938, concerning the laying out and construction of LaRose place, Ward 21.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
February 10, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.
Dear Sir,—In reply to your memorandum of February 5 with the attached order from the City Council relative to the laying out and construction of LaRose place, Ward 21, you are informed that up to the present time no order for the construction of this street has been received from the Board of Street Commissioners, and until such an order is received the Public Works Department will be unable to include this street in a project for construction.

I therefore recommend that the matter be referred to the Board of Street Commissioners.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

REPAIRS TO ALLSTON TUNNEL.

The following was received:

City of Boston,
Office of the Mayor, February 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from E. M. Richardson, Commissioner of Public Works, relative to your order of January 24, 1938, concerning repairs to the Allston tunnel connecting Lincoln and Cambridge streets.

Respectfully,
MAURICE J. TOBIN, Mayor.

There are no funds available to this commission at the present time for the installation requested.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

TRAFFIC LIGHTS, WARD 15.

The following was received:
City of Boston,
Office of the Mayor, February 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from William P. Hickey, Commissioner of

City of Boston,
Public Works Department,
February 10, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.
Dear Sir,—I return order of the City Council passed at its meeting of January 24 requesting that the Commissioner of Public Works make the necessary repairs to the Allston tunnel connecting Lincoln and Cambridge streets, and I respectfully report that this work has been included in the W. P. A. project which has been sent along to Washington for approval.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

TRAFFIC LIGHTS, WARD 14.

The following was received:
City of Boston,
Office of the Mayor, February 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission, William P. Hickey, relative to your order of January 24, 1938, concerning the installation of automatic traffic signal lights in Ward 14.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, February 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order, dated January 24, 1938, which reads as follows:

"Ordered. That his Honor the Mayor be requested to consider the advisability of including in the 1938 budget a sum sufficient for the installation of automatic traffic signal lights in Ward 14, at the following intersections:

- Blue Hill avenue and Glenway street.
- Blue Hill avenue and Talbot avenue.
- Blue Hill avenue and Woodrow avenue.
- Harvard and Morton streets.
- Washington, Harvard and Bowdoin streets."

The following table shows the number of motor vehicle accidents involving personal injury which have occurred at each of these intersections since January 1, 1936, and the estimated cost of installing an automatic traffic signal at each intersection:

| | 1936. | 1937. | 1938. | Cost. |
|---|-------|-------|-------|---------|
| Blue Hill avenue and Glenway street..... | 8 | 15 | 2 | \$2,000 |
| Angell street, Blue Hill avenue, Harvard street and Talbot avenue..... | 8 | 7 | 3 | 4,500 |
| Blue Hill avenue and Woodrow avenue..... | 9 | 12 | 0 | 2,500 |
| Harvard street and Morton street..... | 2 | 2 | 0 | 2,800 |
| Bowdoin avenue, Bowdoin street, Harvard street and Washington street..... | 1 | 0 | 1 | 3,500 |

the Boston Traffic Commission, relative to your order of January 24, 1938, concerning the installation of traffic lights at the junction of Freeport, East, Hancock streets and Dorchester avenue, the four corners known as Glovers Corner, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, February 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated January 24, 1938, which reads as follows:

"Ordered. That the Boston Traffic Commission be requested, through his Honor the

Mayor, to install traffic lights at the junction of Freeport, East, Hancock streets and Dorchester avenue, the four corners known as Glovers Corner, Ward 15.

The records in this office show that from January 1, 1936, to the present time, twelve motor, vehicle accidents involving personal injury have occurred at this intersection, divided by years as follows:

1936, 6; 1937, 6; 1938, none.

The estimated cost of the installation of a traffic signal in this intersection is \$3,000.

There are no funds available to this commission at the present time for the requested installation.

Very truly yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

CABOT STREET SWIMMING POOL.

The following was received:

City of Boston,
Office of the Mayor, February 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Commissioner William P. Long relative to your City Council order of February 7, 1938, concerning the permission for the use of the Cabot Street Swimming Pool to the public from 11.30 to 12.30 a. m. daily.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, February 16, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of February 14, with inclosure, order from the City Council, relative to granting permission for the use of the Cabot Street Swimming Pool to the public from 11.30 to 12.30 a. m. daily.

Please be informed that the swimming pool is open during this hour and will continue to remain so until the opening of the playground activities.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

**ADDITIONAL SHOP FACILITIES,
EVERETT.**

The following was received:

City of Boston,
Office of the Mayor, February 21, 1938.
To the City Council.

Gentlemen,—I transmit herewith a copy of a letter from Edward Dana, President and General Manager of the Boston Elevated Railway Company, relative to your order concerning additional shop facilities at Everett.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
February 17, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The order of the City Council received with your letter of February 14 undoubtedly relates to the construction of additional shop facilities at Everett to provide for all heavy repair work on rapid transit and surface cars, trackless trolleys and motor coaches being done at Everett.

There is to be no power plant constructed and the cost of the additional shop unit will not affect operating expenses, as it is a capital expenditure.

The new facilities will permit the abandonment and write-off of old plant facilities so that the net increase in investment will be less than one million dollars.

The provision of additional centralized shop facilities will make unnecessary capital ex-

penditures estimated at \$350,000 for replacement of obsolete machines, provision of adequate facilities for overhauling motor coaches, trackless trolleys, etc.

It is estimated that in the course of ten years the saving in rent of leased building and in maintenance cost of equipment will be more than a half million dollars.

The provision of the additional shop facilities at Everett does not contemplate the lay-off of any employees.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

**EQUIPPING OF AMBULANCES WITH
CHAIRS.**

The following was received:

City of Boston,
Office of the Mayor, February 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Joseph P. Manning, President, Board of Trustees, relative to your order concerning the advisability of equipping the City Hospital ambulances with strong chairs for the purpose of carrying people downstairs.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, February 18, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held today, the following order of the City Council was presented:

"Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to consider the advisability of equipping the City Hospital ambulances with strong chairs for the purpose of carrying people downstairs."

The trustees voted to comply with this request.

Respectfully yours,
JOSEPH P. MANNING,
President, Board of Trustees.

Placed on file.

**ALLSTON-DUDLEY STREET AND
JAMAICA PLAIN LINES.**

The following was received:

City of Boston,
Office of the Mayor, February 21, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Edward Dana, President and General Manager of the Boston Elevated Railway, relative to your order concerning service on the Allston-Dudley Street and Jamaica Plain-Dudley Street lines.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
February 17, 1938.

Mr. W. T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Since the receipt of your letter of February 1 with order of the City Council, concerning service on the Allston-Dudley Street and Jamaica Plain-Dudley Street lines during the evening rush hours, checks have been made, and I am inclosing summary of traffic count taken at Dudley street and Eliot square on February 8, which shows that adequate service is being provided.

The riding will, however, be carefully watched and any necessary adjustments made in the service to meet riding requirements.

Very truly yours,
EDWARD DANA,
President and General Manager.

SUMMARY OF TRAFFIC COUNT TAKEN BY DIVISION 3.

| | ROUTE 2031. DUDLEY TO ALL-STON, TAKEN AT DUDLEY STREET AT ELIOT SQUARE, TUESDAY, FEBRUARY 8, 1938. | | | | ROUTE 2031. DUDLEY TO ALL-STON, TAKEN AT BROOKLINE VILLAGE, FRIDAY, FEBRUARY 4, 1938. | | | | ROUTE 2110-15. DUDLEY TO JAMAICA PLAIN, TAKEN AT DUDLEY STREET AT ELIOT SQUARE, TUESDAY, FEBRUARY 8, 1938. | | | |
|------------------------------|--|--------|-------|-------|---|--------|-------|-------|--|--------|-------|-------|
| | Cars. | Seats. | Pass. | Av. | Cars. | Seats. | Pass. | Av. | Cars. | Seats. | Pass. | Av. |
| 5 a. m. to 6 a. m..... | 3 | 144 | 56 | 19 | 2 | 96 | 21 | 10 | 2 | 96 | 43 | 21 |
| 6 a. m. to 6.30 a. m..... | 2 | 96 | 80 | 40 | 3 | 144 | 59 | 29 | 3 | 144 | 68 | 23 |
| 6.30 a. m. to 7 a. m..... | 4 | 192 | 149 | 37 | 2 | 96 | 137 | 45 | 5 | 188 | 96 | 19 |
| 7 a. m. to 7.30 a. m..... | 6 | 288 | 319 | 53 | 6 | 288 | 294 | 49 | 6 | 288 | 152 | 25 |
| 7.30 a. m. to 8 a. m..... | 7 | 336 | 356 | 79 | 6 | 288 | 366 | 64 | 8 | 384 | 429 | 54 |
| 8 a. m. to 8.30 a. m..... | 8 | 384 | 650 | 81 | 8 | 384 | 388 | 45 | 8 | 384 | 336 | 42 |
| 8.30 a. m. to 9 a. m..... | 6 | 288 | 442 | 74 | 8 | 384 | 252 | 31 | 9 | 432 | 277 | 31 |
| 9 a. m. to 9.30 a. m..... | 6 | 336 | 229 | 33 | 6 | 288 | 167 | 27 | 6 | 288 | 87 | 14 |
| 9.30 a. m. to 10 a. m..... | 3 | 144 | 123 | 41 | 5 | 240 | 189 | 37 | 4 | 192 | 54 | 14 |
| 10 a. m. to 10.30 a. m..... | 4 | 192 | 118 | 29 | 4 | 192 | 101 | 25 | 5 | 240 | 119 | 24 |
| 10.30 a. m. to 11 a. m..... | 4 | 192 | 84 | 21 | 4 | 192 | 87 | 21 | 3 | 144 | 43 | 14 |
| 11 a. m. to 11.30 a. m..... | 4 | 192 | 108 | 27 | 4 | 192 | 104 | 26 | 3 | 144 | 92 | 31 |
| 11.30 a. m. to 12 m..... | 4 | 192 | 88 | 22 | 4 | 192 | 140 | 35 | 4 | 192 | 146 | 37 |
| 12 m. to 12.30 p. m..... | 4 | 192 | 95 | 24 | 4 | 192 | 100 | 25 | 3 | 144 | 64 | 21 |
| 12.30 p. m. to 1 p. m..... | 4 | 192 | 139 | 35 | 4 | 192 | 146 | 36 | 4 | 192 | 111 | 28 |
| 1 p. m. to 1.30 p. m..... | 4 | 192 | 133 | 33 | 4 | 192 | 124 | 31 | 3 | 144 | 84 | 28 |
| 1.30 p. m. to 2 p. m..... | 4 | 192 | 134 | 27 | 4 | 192 | 162 | 32 | 4 | 192 | 96 | 32 |
| 2 p. m. to 2.30 p. m..... | 5 | 240 | 159 | 40 | 4 | 192 | 240 | 43 | 3 | 144 | 165 | 55 |
| 2.30 p. m. to 3 p. m..... | 7 | 336 | 257 | 37 | 5 | 240 | 219 | 35 | 5 | 240 | 281 | 56 |
| 3 p. m. to 3.30 p. m..... | 6 | 288 | 215 | 36 | 6 | 288 | 249 | 48 | 4 | 192 | 265 | 66 |
| 3.30 p. m. to 4 p. m..... | 6 | 288 | 220 | 35 | 5 | 240 | 225 | 45 | 4 | 192 | 250 | 62 |
| 4 p. m. to 4.30 p. m..... | 5 | 240 | 236 | 47 | 5 | 240 | 154 | 51 | 3 | 144 | 176 | 59 |
| 4.30 p. m. to 4.45 p. m..... | 3 | 144 | 172 | 57 | 3 | 144 | 165 | 41 | 4 | 144 | 177 | 44 |
| 4.45 p. m. to 5 p. m..... | 4 | 192 | 133 | 33 | 3 | 144 | 96 | 32 | 4 | 192 | 177 | 58 |
| 5 p. m. to 5.15 p. m..... | 3 | 144 | 222 | 55 | 3 | 144 | 113 | 38 | 5 | 240 | 314 | 63 |
| 5.15 p. m. to 5.30 p. m..... | 3 | 144 | 225 | 75 | 3 | 144 | 164 | 54 | 5 | 240 | 372 | 74 |
| 5.30 p. m. to 5.45 p. m..... | 3 | 144 | 193 | 64 | 3 | 144 | 97 | 32 | 5 | 240 | 266 | 53 |
| 5.45 p. m. to 6 p. m..... | 5 | 240 | 208 | 42 | 3 | 144 | 133 | 22 | 4 | 192 | 143 | 36 |
| 6 p. m. to 6.15 p. m..... | 3 | 144 | 159 | 53 | 6 | 288 | 178 | 29 | 4 | 192 | 172 | 43 |
| 6.15 p. m. to 6.30 p. m..... | 1 | 48 | 31 | 31 | 3 | 144 | 144 | 28 | 4 | 192 | 222 | 56 |
| 6.30 p. m. to 7 p. m..... | 7 | 336 | 348 | 50 | 5 | 240 | 156 | 31 | 3 | 144 | 122 | 41 |
| 7 p. m. to 7.30 p. m..... | 5 | 240 | 285 | 57 | 5 | 240 | 188 | 39 | 4 | 192 | 201 | 50 |
| 7.30 p. m. to 8 p. m..... | 5 | 240 | 214 | 43 | 6 | 288 | 160 | 26 | 3 | 144 | 160 | 53 |
| 8 p. m. to 8.30 p. m..... | 5 | 240 | 210 | 42 | 6 | 288 | 192 | 30 | 3 | 144 | 180 | 30 |
| 8.30 p. m. to 9 p. m..... | 4 | 192 | 142 | 36 | 4 | 192 | 173 | 24 | 3 | 144 | 135 | 45 |
| 9 p. m. to 9.30 p. m..... | 4 | 192 | 90 | 23 | 3 | 144 | 104 | 26 | 3 | 144 | 112 | 37 |
| 9.30 p. m. to 10 p. m..... | 3 | 144 | 94 | 21 | 4 | 192 | 130 | 22 | 3 | 144 | 147 | 26 |
| 10 p. m. to 10.30 p. m..... | 4 | 192 | 128 | 32 | 4 | 192 | 93 | 28 | 3 | 144 | 151 | 50 |
| 10.30 p. m. to 11 p. m..... | 4 | 192 | 163 | 41 | 3 | 144 | 117 | 33 | 3 | 144 | 109 | 36 |
| 11 p. m. to 11.30 p. m..... | 3 | 144 | 125 | 44 | 3 | 144 | 112 | 28 | 3 | 144 | 185 | 46 |
| 11.30 p. m. to 12 p. m..... | 3 | 144 | 293 | 58 | 6 | 288 | 172 | 28 | 4 | 192 | 185 | 46 |
| 12 p. m. to 1 a. m..... | 5 | 240 | 293 | 58 | 6 | 288 | 172 | 28 | 4 | 192 | 185 | 46 |
| TOTAL | 186 | 8,928 | 8,202 | ..... | 187 | 8,976 | 6,485 | ..... | 172 | 8,256 | 6,980 | ..... |

SUMMARY OF TRAFFIC COUNT TAKEN BY DIVISION I.

| | ROUTE 2031. DUDLEY TO ALL-STON, TAKEN AT DUDLEY STREET AT ELIOT SQUARE, TUESDAY, FEBRUARY 8, 1938. | | | | ROUTE 2031. DUDLEY TO ALL-STON, TAKEN AT BROOKLINE VILLAGE, FRIDAY, FEBRUARY 4, 1938. | | | | ROUTE 2110-15. DUDLEY TO JAMAICA PLAIN, TAKEN AT DUDLEY STREET AT ELIOT SQUARE, TUESDAY, FEBRUARY 8, 1938. | | | |
|-------------------------------|--|--------|-------|-------|---|--------|-------|-------|--|--------|-------|-------|
| | Cars. | Seats. | Pass. | Av. | Cars. | Seats. | Pass. | Av. | Cars. | Seats. | Pass. | Av. |
| 5 a. m. to 6 a. m. | 3 | 144 | 49 | 16 | 4 | 192 | 37 | 9 | 2 | 144 | 87 | 29 |
| 6 a. m. to 6.30 a. m. | 3 | 144 | 69 | 23 | 2 | 96 | 30 | 15 | 5 | 144 | 116 | 39 |
| 6.30 a. m. to 6.45 a. m. | 5 | 48 | 54 | 34 | 3 | 144 | 67 | 20 | 2 | 59 | 59 | 30 |
| 6.45 a. m. to 7 a. m. | 5 | 144 | 102 | 54 | 3 | 144 | 144 | 16 | 2 | 137 | 137 | 52 |
| 7 a. m. to 7.15 a. m. | 3 | 144 | 163 | 54 | 3 | 192 | 84 | 21 | 3 | 144 | 198 | 69 |
| 7.15 a. m. to 7.30 a. m. | 3 | 144 | 208 | 69 | 3 | 144 | 144 | 40 | 3 | 144 | 208 | 69 |
| 7.30 a. m. to 7.45 a. m. | 4 | 192 | 259 | 67 | 3 | 144 | 123 | 41 | 4 | 192 | 269 | 67 |
| 7.45 a. m. to 8 a. m. | 5 | 240 | 321 | 94 | 4 | 192 | 176 | 44 | 5 | 240 | 321 | 67 |
| 8 a. m. to 8.15 a. m. | 4 | 192 | 291 | 73 | 5 | 240 | 216 | 43 | 4 | 192 | 293 | 76 |
| 8.15 a. m. to 8.30 a. m. | 4 | 192 | 261 | 65 | 4 | 192 | 171 | 45 | 4 | 192 | 269 | 92 |
| 8.30 a. m. to 8.45 a. m. | 4 | 192 | 268 | 67 | 3 | 144 | 166 | 51 | 6 | 288 | 361 | 60 |
| 8.45 a. m. to 9 a. m. | 3 | 144 | 180 | 50 | 3 | 144 | 181 | 47 | 3 | 144 | 233 | 78 |
| 9 a. m. to 9.30 a. m. | 5 | 240 | 207 | 41 | 4 | 192 | 126 | 31 | 5 | 240 | 246 | 49 |
| 9.30 a. m. to 10 a. m. | 4 | 192 | 184 | 34 | 4 | 192 | 95 | 23 | 4 | 192 | 174 | 44 |
| 10 a. m. to 10.30 a. m. | 4 | 192 | 162 | 41 | 4 | 192 | 104 | 26 | 3 | 144 | 164 | 55 |
| 10.30 a. m. to 11 a. m. | 4 | 192 | 118 | 29 | 4 | 192 | 105 | 26 | 4 | 192 | 168 | 42 |
| 11 a. m. to 11.30 a. m. | 4 | 192 | 166 | 41 | 4 | 192 | 117 | 29 | 3 | 144 | 133 | 44 |
| 11.30 a. m. to 12 m. | 4 | 192 | 134 | 34 | 4 | 192 | 115 | 28 | 4 | 192 | 131 | 33 |
| 12 m. to 12.30 p. m. | 4 | 192 | 140 | 35 | 4 | 192 | 117 | 29 | 3 | 144 | 125 | 42 |
| 12.30 p. m. to 1 p. m. | 4 | 192 | 123 | 31 | 4 | 192 | 190 | 47 | 3 | 144 | 126 | 42 |
| 1 p. m. to 1.30 p. m. | 4 | 192 | 134 | 33 | 4 | 192 | 140 | 35 | 3 | 144 | 155 | 39 |
| 1.30 p. m. to 2 p. m. | 4 | 192 | 112 | 28 | 5 | 240 | 209 | 41 | 3 | 144 | 150 | 50 |
| 2 p. m. to 2.30 p. m. | 6 | 336 | 559 | 80 | 6 | 336 | 253 | 42 | 3 | 144 | 109 | 36 |
| 2.30 p. m. to 3 p. m. | 5 | 288 | 393 | 65 | 7 | 336 | 201 | 28 | 5 | 240 | 159 | 32 |
| 3 p. m. to 3.30 p. m. | 6 | 288 | 419 | 80 | 5 | 240 | 179 | 36 | 4 | 192 | 159 | 40 |
| 3.30 p. m. to 4 p. m. | 5 | 240 | 193 | 68 | 6 | 288 | 234 | 39 | 4 | 192 | 159 | 44 |
| 4 p. m. to 4.30 p. m. | 6 | 288 | 299 | 50 | 5 | 240 | 159 | 32 | 5 | 240 | 220 | 44 |
| 4.30 p. m. to 5 p. m. | 7 | 336 | 524 | 75 | 6 | 288 | 252 | 31 | 8 | 384 | 299 | 38 |
| 5 p. m. to 5.30 p. m. | 6 | 288 | 432 | 72 | 8 | 384 | 406 | 59 | 8 | 384 | 390 | 43 |
| 5.30 p. m. to 6 p. m. | 8 | 384 | 485 | 61 | 7 | 336 | 361 | 51 | 10 | 480 | 201 | 20 |
| 6 p. m. to 6.30 p. m. | 6 | 288 | 303 | 50 | 5 | 240 | 287 | 57 | 6 | 288 | 93 | 16 |
| 6.30 p. m. to 7 p. m. | 5 | 240 | 185 | 37 | 5 | 240 | 202 | 40 | 4 | 192 | 106 | 27 |
| 7 p. m. to 7.30 p. m. | 5 | 240 | 276 | 55 | 5 | 240 | 207 | 41 | 3 | 144 | 116 | 39 |
| 7.30 p. m. to 8 p. m. | 4 | 192 | 244 | 61 | 5 | 240 | 267 | 53 | 4 | 192 | 230 | 55 |
| 8 p. m. to 8.30 p. m. | 6 | 288 | 369 | 61 | 4 | 192 | 178 | 44 | 3 | 144 | 115 | 38 |
| 8.30 p. m. to 9 p. m. | 4 | 192 | 210 | 52 | 4 | 192 | 161 | 40 | 3 | 144 | 83 | 28 |
| 9 p. m. to 9.30 p. m. | 3 | 144 | 121 | 30 | 3 | 144 | 109 | 36 | 3 | 144 | 68 | 23 |
| 9.30 p. m. to 10 p. m. | 3 | 144 | 127 | 42 | 4 | 192 | 98 | 27 | 3 | 144 | 52 | 17 |
| 10 p. m. to 10.30 p. m. | 4 | 192 | 90 | 23 | 4 | 192 | 110 | 27 | 3 | 144 | 71 | 24 |
| 10.30 p. m. to 11 p. m. | 4 | 192 | 73 | 18 | 4 | 192 | 114 | 28 | 3 | 144 | 75 | 25 |
| 11 p. m. to 11.30 p. m. | 3 | 144 | 131 | 33 | 3 | 144 | 81 | 27 | 3 | 144 | 111 | 37 |
| 11.30 p. m. to 12 p. m. | 3 | 144 | 97 | 32 | 4 | 192 | 117 | 29 | 3 | 144 | 73 | 24 |
| 12 p. m. to 1 a. m. | 5 | 240 | 107 | 21 | 4 | 192 | 152 | 38 | 4 | 192 | 60 | 15 |
| | 189 | 9,072 | 9,083 | ..... | 187 | 8,976 | 6,798 | ..... | 171 | 8,208 | 7,233 | ..... |

Placed on file.

CLOSING OF RELIEF STATIONS.

The following was received:

City of Boston,
Office of the Mayor, February 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Joseph P. Manning, President, Board of Trustees of the Boston City Hospital, relative to your order concerning the closing of the Haymarket Square Relief Station and the East Boston Relief Station.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, February 14, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on February 11, the following order of the City Council was presented:

"Ordered, That in the event that the trustees of the Boston City Hospital and the Mayor remain firm in their decision to close the Haymarket Square Relief Station and the East Boston Relief Station, that the Hospital Trustees arrange to have an ambulance with a medical doctor constantly in attendance at both the East Boston Relief Station and the Haymarket Square Relief Station."

The trustees voted to take this matter under consideration.

Respectfully yours,
JOSEPH P. MANNING,
President, Board of Trustees.

Placed on file.

APPROPRIATION FOR BOARD OF ZONING ADJUSTMENT.

The following was received:

City of Boston.
Office of the Mayor, February 21, 1938.
To the City Council.

Gentlemen,—I am inclosing herewith a communication from the Board of Zoning Adjustment relative to the operating expenses of this Board for the year 1938.

I am also inclosing an appropriation order for \$1,500 and respectfully recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Board of Zoning Adjustment,
February 5, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—The Board of Zoning Adjustment, constituted under section 20, chapter 488, of the Acts of 1924, voted at its meeting February 4, 1938, to respectfully request an appropriation of \$1,500 from the Contingent Fund to cover operating expenses for the year 1938. In the fourteen years of its existence the Board has had appropriations totaling \$20,500 and there is at present a balance of \$298.09. This money has been expended for personal services, advertising, verbatim records, blueprints, postage, automobile hire for inspection trips and miscellaneous expenses.

The Board has before it awaiting public hearings two petitions,—one from the United States of America covering the Federal Housing Project in South Boston. This petition is sponsored by the Boston Housing Authority and constitutes the largest zoning petition ever brought before the Board. The second petition covers a request for zoning change in the West Roxbury district.

The Zoning Law requires that public hearings be held upon all applications for changes, after public advertisement and notification to all owners of property affected. The law further requires the reporting of the hearings and the filing of a detailed record of all proceedings of the Board in the office of the Building Commissioner, work which necessitates verbatim stenographic service. Each case brought

before the Board requires investigation of conditions on the ground, and where changes are authorized the preparation of maps therefor, which under the law are filed in the office of the Secretary of State.

While a fee of \$25 is deposited with each petition presented to the Board, this amount under law is deposited with the City Collector and bears no relation to the expenses incurred in the publication of notices and the clerical work made mandatory by the Zoning Law. These constitute an expense far greater than the fee received.

It is the Board's opinion that the sum requested, namely, \$1,500, will be reasonably adequate to carry on its work for the ensuing year.

Respectfully yours,
FREDERIC H. FAY,
Chairman, Board of Zoning Adjustment.

Ordered, That the sum of fifteen hundred dollars (\$1,500) be, and it hereby is, appropriated, to be expended under the direction of the Board of Zoning Adjustment, for the operating expenses of this Board for the year 1938.

Referred to Executive Committee.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Coal: John C. Matthews, 60 Carlton road, Waban, Mass.; Morris Borenstein, 2 Pasadena road, Dorchester, Mass.; Sarah Tucker, 169 Columbia road, Dorchester, Mass.; Ethel Shere, 9 Laredo street, Roxbury, Mass.

Severally laid over a week under the law.

PETITIONS REFERRED.

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

Claims.

W. L. Anderson, Jr., for compensation for damage to car caused by an alleged defect at 307 Park street, West Roxbury.

Mildred Bernard, for compensation for damage to property at 291 Shawmut avenue, caused by break in water pipe.

Frances Broughton, for compensation for damage to car caused by an alleged defect in West Cedar street.

John Cammarata *et al.*, for compensation for damage to car by city car.

Helen Cooley, for compensation for injuries caused by an alleged defect at 229 Poplar street.

A. D. Daddario, for extra compensation for building sewerage works in Neponset River road.

Catherine Doherty, for compensation for injuries caused by an alleged defect at 291 Pond street, Jamaica Plain.

Donnelly Electric and Neon Company, for refund on ash tickets.

G. Ferrio, for compensation for damage to car by city wagon.

Fred A. Garabedian, for compensation for damage to car by police car.

William F. Johnson, for compensation for damage to property at 958 Tremont street, caused by broken water pipe.

Neil Kearney, for reimbursement for judgment issued against him.

Leo Larkin, for compensation for damage to car caused by an alleged defect at 226 Cornell street.

Joseph C. Morgan, for reimbursement for judgment issued against him.

Michael J. Pepi, for compensation for damage to car caused by an alleged defect in Marion street.

Mrs. H. G. Polk, for compensation for injuries caused by an alleged defect at 229 Poplar street.

R. & R. Transportation Company, for compensation for damage to truck by city truck.
Alexander Reine, for compensation for damage to car by police car.

George S. Ritchie, for compensation for damage to car caused by an alleged defect at 162 Boylston street.

Gerald Sullivan, for compensation for damage to car by city truck.

Vincent and Mary Tamulartis, for compensation for damage to property at 188 West Ninth street, caused by defect in sewer.

Lillian R. Walcott, for compensation for damage to property at 64 Wellsmere road, caused by snowplow.

Paul A. Daniels, for compensation for damage to property by fire engine.

Katherine Foley, for compensation for injuries caused by an alleged defect at Devonshire and Franklin streets.

Executive.

Petition of Ellen C. Kelley, to be paid an annuity on account of death of her husband, Edward J. Kelley, late member of the Police Department.

Petition of Mary A. Noonan, to be paid an annuity on account of death of her husband, Cornelius J. Noonan, late member of the Fire Department.

Petition of W. Edwin Ulmer for hearing on removal of Elevated structure on Atlantic avenue.

Committee on Jitney Licenses.

Petition of Hart Bus Lines, Inc., to operate motor vehicles on William McClellan Highway, from Revere line to Saratoga street, Chelsea street, Maverick square, Chelsea street, Bennington street, Swift street, William McLellan Highway.

APPOINTMENTS BY THE MAYOR.

Notices were received from the Mayor of the following appointments:

Richard Whitcomb, Director of Survey Committee, effective as of February 14.

John B. Hynes, Charles J. Fox, William A. Motley, as committee to investigate license fees, effective as of February 12, Charles J. Fox being designated as chairman of said committee.

Severally placed on file.

MINORS' LICENSES.

Applications for minors' licenses were received from thirty-seven newsboys and two bootblacks. Licenses granted on usual conditions.

RESCISSION OF ROBERT GOULD SHAW SCHOOL APPROPRIATION.

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

1. Ordered, That the order given its second and final reading and passage on March 29, 1937, and approved by the Mayor on March 31, 1937, to wit:

"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 one thousand dollars be, and hereby is, appropriated, to be expended under the direction of the School Committee, for a combination gymnasium and assembly hall in, and incidental additions to, the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, 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",

be, and the same hereby is, rescinded.

On February 7, 1938, the foregoing order was read once and passed, yeas 21, nays 0.

The order was given its second and final reading and passage, yeas 17, nays 0.

SUPERINTENDENT OF NURSES, CITY HOSPITAL.

Coun. DOWD—Mr. President, I would ask unanimous consent to make a statement. Two weeks ago I introduced an order asking certain questions of the trustees in regard to Miss Laura Logan, the new superintendent of nurses. Today we have received a so-called reply from the trustees, but one that is very evasive, in which they did not answer the questions, and in which they intimated clearly, to my mind, that they know that they cannot make sensible answers to any of the questions. For purposes of the record, may I say that I have already produced letters showing that Miss Logan was forced to resign from hospitals in Chicago and Cincinnati, and I have since received a letter from New York City, which I would like to have placed in our records. The letter is as follows:

"New York Medical College and Flower Hospital,

New York City,

Feb. 26, 1938.

Hon. John F. Dowd,

City Councilor, Boston.

Dear Sir,—This is in reply to your telegram asking for information about Miss Laura Logan who was formerly principal of the School of Nursing in this institution.

Miss Logan was employed by us for less than one year. Her work was such that it was not felt wise to continue her services. We found that she was not suited to the type of work required in a college and hospital such as ours. The major portion of her previous experience had been in large city hospitals quite different from this hospital which accommodates patients of all grades, including staff, semi-private, private and *de luxe* service.

Very truly yours,

CLAUDE A. BURRETT,
Dean and Director."

The trustees of the Boston City Hospital now have information that the superintendent of nurses whom they have employed has been forced out of three different cities. In spite of that fact, they have employed this woman as superintendent of nurses. If they want, in spite of that fact, to bring Boston into disrepute and into bankruptcy, that is their business. But I believe the Mayor of Boston will be fair in this matter. We have shown that this woman was forced to resign from a hospital in Chicago and from one in Cincinnati, and we now have this letter showing what happened to her in New York City. I am of the opinion that the Mayor of Boston will be fair and sensible in dealing with this situation. It is evident that the trustees hired her not knowing what her record had been for the past eight years, because if any of the Board of Trustees had looked into the matter and had found out the kind of work she had performed in these large cities before coming to Boston, they never would have hired her. But they have hired her, and are now in the position of standing by her, whether they like her or not. But I do not take that position. If I had made such a mistake I would be the first one willing to admit it. Certainly, however, after the letters we have received from all over the country it is evident that every allegation and charge made on this floor has been sustained.

Coun. SHATTUCK—Mr. President, I would like to make a brief statement. I take it that what the gentleman from Ward 8 has just said is simply an expression of his personal opinion and not an expression of the opinion of the Council. We at our last meeting asked to have an investigation made of this question and related questions by an impartial body, and pending that report I think we should suspend judgment on this matter.

DUMPING OF ASHES WITHOUT CHARGE TO CITY.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, wherever possible, to arrange for the dumping of ashes and rubbish in such locations as will eliminate any charge to the city.

Coun. WILSON—Mr. President, speaking upon that order, while a particular instance I have in mind may be a small one, what I really have in mind, broadly speaking, is the general question of the city paying out considerable amounts in different sections for dumping privileges. I have in mind that we have some 2,000 pieces of city-owned property, 90 per cent of which is vacant land, and that there are places throughout the city where dumping privileges can be acquired without the payment of a fee by the city. It has been called to my attention that it has been customary for the city to dump ashes and rubbish in the Roxbury district for some time with no charge whatever. If I am correctly informed, an arrangement has already been entered into whereby Marinucci Brothers, on Legion Highway, will be paid for the privilege of dumping ashes and rubbish on land controlled by them. I believe in these days, when even possible cuts of city employees are contemplated, the very smallest possible expense should be incurred by the city in any direction, and I think this is one item of expense that certainly should not be incurred,—the payment of money or of rentals to private persons for the dumping of ashes and rubbish in the City of Boston.

The order was passed under suspension of the rule.

GARAGING OF CITY TRUCKS AND AUTOMOBILES.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the garaging of city trucks and automobiles in such locations as will be most economical for the city, after request has been issued for bids.

Coun. WILSON—Mr. President, one of the creamy sources of money-getting from the city has always been, under all administrations, renting of garages or parts of garages for city-owned vehicles, trucks and pleasure cars. There is always pressure, not only on the Mayor but, I am very sure, on members of the City Council from garage owners in Boston who want to get their cut on the garaging of city trucks and cars. It seems to me, with the strenuous efforts now being made in the direction of economy, that this is one of the things that might be properly taken up, arranging for garaging of city trucks and automobiles in such locations as will be most economical for the city, after a request has been issued for bids. I believe under any administration, and especially under an economy administration, this old custom of letting out space in different garages for three, five or ten cars, at various prices, should be discontinued, and that for the garaging of city-owned trucks and vehicles bids should be asked.

The order was passed under suspension of the rule.

DISCRIMINATION AGAINST JEWISH AND ITALIAN GIRLS.

Coun. TAYLOR offered the following:

Ordered, That his Honor the Mayor be requested to confer with W. P. A. officials to determine whether or not there is any discrimination against the employment of girls of the Jewish and Italian races in the W. P. A. household keepers project.

Coun. TAYLOR—Mr. President, I have been informed from very good sources that there is discrimination in the W. P. A. household

keepers project against the employment of girls of the Jewish and Italian races in this city, and that instructions have been received at the Welfare and Employment Departments not to send down any girls of Italian or Jewish extraction. I dislike very much to introduce any order which has any reference to racial prejudice, but it makes my blood boil to think that in a democratic city and in a democratic country we should be subjected to any such racial prejudice. We know, unfortunately, that in private industry these discriminations and distinctions are manifest, but I certainly strenuously object to any such religious or racial discrimination as far as any of the branches of our government, national, state or city, are concerned. Those who sponsor these projects which are supposed to help furnish domestic servants should not be allowed to dictate to the officials of our government what people are to be employed. An Italian or a Jewish girl is entitled to the same opportunity that exists for others. I say that our democratic form of government, which has proven the most successful form of government in the world, does not, cannot and will not allow this type of racial prejudice. Our democratic form of government is a protection to all classes, rich or poor, Jew or Gentile, white or colored. I dislike to rise on this floor on a question of race discrimination, but I will always do it when such discriminatory action is taken against Catholics, Jews, white or colored. I sincerely hope the Mayor will make a careful investigation of these charges and that this reprehensible conduct will cease. I ask the passage of the order.

The order was passed under suspension of the rule.

PROTEST AGAINST CURTAILMENT OF RAILROAD SERVICE.

Coun. WILSON, ROSENBERG and LYONS offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Corporation Counsel to enter a protest with the Massachusetts Department of Public Utilities against the contemplated abandonment of fourteen passenger stations in Dorchester, Hyde Park and Roslindale sections of Boston and the serious curtailment of passenger service in other outlying sections of Boston; and be it further

Ordered, That a copy of this order, when passed by the City Council, be delivered to the Department of Public Utilities before 10.30 a. m. on Wednesday, March 2, 1938.

Coun. WILSON—Mr. President, that order is introduced at this time with a special request that a copy of the order be placed in the hands of the Department of Public Utilities within the next forty-eight hours, because of the fact that the hearing before the department is scheduled for 10.30 on the morning of Wednesday, March 2. We understand that at least fourteen stations, which have been erected in the years gone by to afford passenger service to the Dorchester, Hyde Park and Roslindale sections, are not only to be curtailed but, we are told, abandoned. I personally believe that the steam railroads or the Boston Elevated, in view of the many favors they have received at the hands of the public, owe a duty to the car-riding public of metropolitan Boston. I began over thirty years ago using the old line, Mount Bowdoin and Harvard Street, Dorchester. I can remember plainly at this time the people of that section patronizing the New York, New Haven & Hartford road and helping that road financially to an extent that made it possible for them to expand in various directions. Since then, in the City Council, as a member of the Committee on Jitneys, I have seen the New York, New Haven & Hartford Railroad and the Boston and Maine Railroad, and these other large railroads in New England, come in and protest successfully against the granting of jitney bus permits which would give travel service to people in outlying towns of Massachusetts, towns that were not within two or three

miles of a railroad station, and back for the last ten years, when jitney lines have been granted by the Council, they have been vetoed by mayors of Boston time and again, because the railroads came in and pointed out their great investment and the manner in which they were serving the public, with the result that people in the outlying towns were deprived of any transportation, jitney bus or otherwise. I believe the New York, New Haven & Hartford Railroad owes a sufficient duty to the public of Boston not to be permitted to curtail its service in the way proposed, leaving fourteen of these stations absolutely abandoned, and the car-riding public of the districts affected without proper service.

Coun. ROSENBERG—Mr. President, in connection with that order I would like to read a letter from the district I represent, objecting to this proposed curtailment of service. It reads as follows:

"36 Greenwood Street, Dorchester.

Dear Councilor,—I will appreciate your assistance in preventing the taking off of trains on the New York, New Haven & Hartford in the Dorchester district. I have used the trains for thirty-six years, living at above address all that time.

It would be a great inconvenience and loss to the public in Dorchester, taking off the 7.30 and 8 a. m. trains, and equally so as to the outgoing trains at night. I hear many whisperings that Boston and Dorchester will be the loser by residents going to move to Wollaston and Quincy if trains are discontinued under present conditions. Boston and Dorchester can ill afford to lose any citizens. We need them all.

Trusting that your talk may have some weight on preventing the discontinuance of the trains, I remain,

Yours truly,"

That is a typical objection, showing how this proposed curtailment of train service affects a resident of Dorchester who has been using that service for thirty-six years or more. I feel that every possible effort should be made to prevent the abandonment of these stations.

Coun. HUTCHINSON—Mr. President, the residents of my ward will be very much put out by the discontinuance of two trains in the morning and two in the evening. We have none too many trains now, and the travel is very heavy all the time. Therefore I also am opposed to the curtailment of this service.

The order was passed under suspension of the rule.

OLD HARBOR VILLAGE PROJECT.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor advise the City Council whether, incident to the proposed arrangements relating to Old Harbor Village, the Boston Housing Authority, in addition to the so-called annual service charge of \$15,000, is to pay water rates to the City of Boston, and, if so, whether the usual rate is to be charged or some special arrangement made.

Ordered, That his Honor the Mayor be requested, incident to his present decision to accept only \$15,000 in lieu of a proper real estate tax on Old Harbor Village, not to waive or attempt to waive any right by the city to place an adequate assessment on this \$6,500,000 real estate development at the expiration of the contemplated short-term lease from the United States Government by the Boston Housing Authority.

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to fix such minimum rentals for apartments at Old Harbor Village as shall assure tenancy by families in poor circumstances and with preference being given to Boston residents who are now receiving Old Age Assistance or Mothers' Aid.

Coun. WILSON—Mr. President, I realize that the Mayor of Boston has recently made a trip to Washington with a delegation from the Boston Housing Authority, looking to the adjustment of the so-called service charge in lieu of taxes. I have no criticism to make of the Mayor of Boston because of the trade he tried to make. I realize that before he went to Washington he had a gun at his head. I realize that he was on a double errand, first, in the hope of obtaining for Boston a fair proportion of W. P. A. money for the current year, and, second, trying to make the best trade he could on the Old Harbor Village arrangement. He had to play his W. P. A. desires more strongly than the Old Harbor Village construction, with the result that I understand we are receiving the same amount of money we received last year with, of course, the discount of a quarter of a million dollars that we should be getting in taxation on Old Harbor Village. So in what I am saying I do not criticize the Mayor. He had to strike a balance in the trade somewhere, and he did what he could for Boston. Some of us took a trip to Old Harbor Village yesterday and observed the almost completed construction so far as the apartments are concerned. I am sure that we were all very much impressed; I know that I was. In view, however, of some of the statements that have been made in the Council Chamber from time to time, I think it might be well to clear the record on some points. We learned yesterday, for instance, that as a matter of fact difficulties with creosote in the walls were experienced in at least six of the buildings, and also that water leaks have caused some real concern. Ten of the thirty-four apartment buildings are adjacent to the railroad track. Most of the construction work was done on vacant land formerly used as a dump, and, incidentally, prior to construction of the large brick smokestack, borings were made to a depth of over 180 feet before reaching solid foundations. Yesterday, for the first time, various figures relating to the proposed rentals and other matters were made public. Members of the Board stated that information until now has been considered confidential. I therefore will not quibble with other members of the Council who may be able to draw some fine distinction in meaning between the words "confidential" and "secret." According to the figures furnished yesterday there are in Old Harbor Village four three and a half-room apartments, for from two to four persons, renting for \$24.60 to \$25.10 per month; 23 four and a half-room apartments, for from three to six persons, renting for \$28.50 to \$29 per month; 32 five-room group houses, for from four to seven persons, renting for \$30.40 to \$30.90 per month; 97 four-room group houses, for from three to five persons, renting for \$25.60 to \$26.60 per month; 102 five-room apartments, for from four to seven persons, renting for \$30.40 to \$31.90 per month; 345 four to five-room apartments, for from three to five persons, renting for \$26.10 to \$28.10 per month; and 413 three-room apartments, for from two to three persons, renting for \$21.65 to \$24.15 per month. The apartments we are told are to be available for families whose net income, at the time of admission, does not exceed five times the rental (including cost of heat, light, water and cooking fuel) of the dwellings to be furnished such families, except that in the case of families with three or more minor dependents, such ratio shall not exceed 6 to 1. Thus, the Housing Board already has available calculations which fix the maximum earning capacity a family may have to occupy apartments of various sizes. This maximum is from \$1,300 to \$1,450 annually for three-room apartments, \$1,536 to \$1,686 annually for four-room apartments and \$1,813 to \$1,908 annually for five-room apartments. Where the family has three or more minor dependents, the maximum earning of the family is permitted to be \$1,844, \$1,843 to \$2,033 annually for a four-room apartment, and from \$2,182 to \$2,239 for a five-room suite. Thus, the maximum earning for a family eligible to occupy a five-room apartment amounts to between \$42 and

\$44 a week, where there are three or more dependents. But may we hope that no man earning \$44 a week, on a steady job, shall be considered eligible to occupy a five-room apartment supposedly intended for Boston families in more destitute circumstances. Far more important to be determined are the minimum earnings of the families who will be permitted to occupy the 1,016 apartments at Old Harbor Village. I understand that almost 2,000 out of the 4,000 applications already on file represent families with an income plainly in excess of the maximum permitted. Out of the 1,000 applications already received by the Federal agents, 45 per cent disclosed steady earnings in excess of even the maximum permitted. At the hearing held by the Committee on Rules of the Council, some weeks ago, we were definitely informed that all welfare and W. P. A. families were barred. This would automatically eliminate over 50,000 of the most needy families in Boston. We were also told that to be eligible a family must be able to show steady assured earnings in that amount five times the rental to be charged. Yesterday we were told that such a figure was only the maximum expected. Just what the figure eventually will be still appears to be rather hazy I firmly believe the current housing project should be made available to the more unfortunate families in Boston. I understand that in Cambridge at least 75 out of some 200 families are Mother's Aid cases. I see no reason why Boston should treat the situation any differently. The entire cost of the project has been charged off by the Government, with a so-called service charge of only \$15,000 in lieu of \$250,000 in taxes. That is, the six and a half million dollar project is to all intents and purposes tax free,—no cost, no mortgage, no taxes. There is no earthly excuse why families earning anywhere near the maximum figures should be permitted to live in Old Harbor Village, even indirectly at the expense of the taxpayers of Boston, with families in poorer circumstances barred. Having these facts in mind I offer these orders, the most important of which, to my mind, is the request to the Boston Housing Authority, through his Honor the Mayor, that in their choice of the 1,016 families who shall be permitted to live in this alleged slum clearance low house-renting project, preference similar to that given in Cambridge shall be given to families who are needy, either Old Age Assistance or Mothers' Aid cases. If we really believe the allegations made, that the entire purpose of the project is to assist the more unfortunate and the poor, of course, families now receiving Old Age Assistance and those 21,000-odd families now on Mothers' Aid, so far as they file applications with the Boston Housing Authority, should receive preference, and under no circumstances should a preference be allowed to a man earning \$42 or \$44 a week. They certainly should not be considered eligible for these tenements at Old Harbor Village. The orders were passed under suspension of the rule.

RENTALS AND OPERATING EXPENSES, OLD HARBOR VILLAGE.

Coun. SHATTUCK offered the following:
Ordered, That the Boston Housing Authority, through his Honor the Mayor, be requested to inform the City Council of the approximate gross annual rental of Old Harbor Village and the breakdown of the estimated annual operating expenses.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF MARY G. 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 parents of the late Mary G. Durant,

who died by drowning at the Strandway Beach, at the foot of G street, South Boston, on August 20, 1934, provided such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

PENSION TO WILLIAM A. RYAN.

Coun. KERRIGAN offered the following:
Resolved, That the City Council of Boston hereby favors the enactment of legislation relative to the civil service status and retirement and pension allowance of William A. Ryan, an employee of the Printing Department of the City of Boston, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

BUS LINE TO CARSON BEACH.

Coun. HUTCHINSON 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 running from Blue Hill avenue and Quincy street, Roxbury, to Carson Beach during the summer months, with a five-cent fare.

Passed under suspension of the rule.

TRUCKS OF COLEMAN DISPOSAL COM- PANY.

Coun. HUTCHINSON offered the following:
Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to bar the use of Savin Hill avenue by trucks of the Coleman Disposal Company in going to and coming from their dump.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF CHILDREN INJURED OR KILLED.

Coun. IRWIN offered the following:
Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the city to pay to the parents of a public school pupil who is injured or killed while participating in any athletic event or contest where said pupil is playing on his school team, such sums as shall be sufficient to reimburse said parents for the loss caused by said injury or death, providing such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

PAYMENTS TO PARENTS OF JOHN L. SULLIVAN.

Coun. IRWIN 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 John L. Sullivan, who died as a result of injuries suffered by him in a football game in which said son played as a member of East Boston High School team, providing such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

WARNING SIGNALS, WARREN AVENUE.

Coun. CHASE and SHATTUCK offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install appropriate warning signals or "Stop" signs on Warren avenue, near Clarendon street, Wards 4 and 5.

Passed under suspension of the rule.

WARNING SIGNALS, APPLETON STREET.

Coun. CHASE and SHATTUCK offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install appropriate warning signals or "Stop" signs on Appleton street, near Clarendon street, Wards 4 and 5.

Passed under suspension of the rule.

WARNING SIGNALS ON CHANDLER STREET.

Coun. CHASE and SHATTUCK offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install appropriate warning signals or "Stop" signs on Chandler street, near Clarendon street, Wards 4 and 5.

Passed under suspension of the rule.

INTERSECTION OF COLUMBUS AVENUE AND CLARENDON STREET.

Coun CHASE offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to station a police officer at the intersection of Columbus avenue and Clarendon street, between the hours of 12 and 2 p. m. and 4 to 6 p. m., Ward 4.

Coun. CHASE—Mr. President, I have been informed by many residents of my district and by officers from Station 4 that there have been many accidents, collisions of automobiles, many of the accidents fatal, at the corner of Clarendon street and Columbus avenue. I understand that the Mayor's economy program applies, among other things, to the installation of traffic signals. Therefore, I think at least something should be done at this point to prevent as far as possible the recurrence of such accidents in the future. This intersection is the most dangerous one in that section, and I trust that an investigation may be made, and that the Mayor will see fit to request the Police Commissioner to station a police officer at the intersection of Columbus avenue and Clarendon street.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 3.15 p. m., on motion of Coun. DOWD, to take a recess subject to the call of the Chair. The members re-assembled and were called to order by President KERRIGAN at 4.42 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) appropriating \$1,500 for Board of Zoning Adjustment—that same ought to pass.

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

2. Report on message of Mayor and order appropriating \$20,000 for Boston Housing Authority—that same ought to pass.

Report accepted; said order passed, yeas 19, nays—Coun. Shattuck, Wilson—2.

Coun. WILSON—Mr. President, I simply wish to have it appear on record in regard to this order for \$20,000 that it is admitted that some part of the amount is to be used for further plans for further housing projects in Boston. I wish simply to have that statement appear on the record in connection with my vote.

3. Report on order (referred February 14) discontinuing contract of Otis Elevator Company for repair of elevators—that same ought to pass.

Report accepted; order passed.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. AGNEW, for Coun. Peter A. Murray, submitted the following:

1. Report on petition of Hart Bus Lines, Inc., for license to operate motor vehicles—that same be granted.

Report accepted; license granted under usual conditions, Coun. Irwin calling for a roll call, yeas 19, nays—Coun. Irwin, Shattuck—2.

THE NEXT MEETING.

It was voted, on motion of Coun. FITZGERALD, that when the Council adjourn it be to meet on Monday, March 14, at 2 p. m.

REMOVAL OF STREET CAR RESERVATION.

Coun. NORTON offered the following:

Ordered, That the Corporation Counsel, through his Honor the Mayor, advise the Council as to what steps must be taken in order to remove the Boston Elevated Railroad street car reservation in Mattapan square, from the bridge over the New York, New Haven & Hartford Railroad tracks to the corner of River street and Blue Hill avenue.

Passed under suspension of the rule.

CONSTRUCTION OF WARD 18 STREETS.

Coun. NORTON 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, Rockingham road, Ward 18, under the W. P. A. type of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway, Savannah avenue, under the W. P. A. type of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway, Bismarck street, Ward 18, under the W. P. A. type of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public highway, Hautevale street, Ward 18, under the W. P. A. type of construction.

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

Severally passed under suspension of the rule.

EXTENSION OF TIME ON GAS SITUATION, HYDE PARK.

Coun. NORTON—Mr. President, I would ask unanimous consent to include in the record the fact that there has been a year's extension of the time for the acquisition by the City of Boston of certain property of the Dedham and Hyde Park Gas and Electric Light Company located within said city and the lease thereof to the Boston Consolidated Gas Company. I would like to have placed in the record, first, the bill itself and, second, the extension that

has been granted by the Legislature. This has been sent me by Representative Burke.

Coun. Norton's request was unanimously granted, and the papers submitted by him are as follows:

CHAPTER 292, ACTS OF 1937.

An Act Providing for the Acquisition by the City of Boston of Certain Property of the Dedham and Hyde Park Gas and Electric Light Company Located Within said City and the Lease Thereof to the Boston Consolidated Gas Company.

Be it enacted, etc., as follows:

Section 1. The City of Boston, hereinafter called the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and thirty-eight, purchase or take by eminent domain the physical property of the Dedham and Hyde Park Gas and Electric Light Company located within said city.

Section 2. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with chapter seventy-nine of the General Laws, except that petitions for the assessment of damages may be filed in the superior court for any of the following counties:—Suffolk, Norfolk or Middlesex. The city, acting by its public works department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under authority of section six, but, if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages, the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

Section 3. Before acquiring any property under authority of this act, said public works department, in the name and on behalf of the city, shall execute a contract in writing with the Boston Consolidated Gas Company, hereinafter called the company, upon such terms and conditions, not inconsistent with the provisions of this act, as said department and the board of directors of the company may agree upon, for the use by the company of the property proposed to be acquired, for such term as may be agreed upon by said department and the company. The company shall pay for the use of the property a rental at the rate of not less than four and one half nor more than eight per cent per annum upon the fair and reasonable value of the property as agreed upon, with respect to both such rate and value, by said department and the company, or, in case of a failure so to agree, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the property, or any part thereof, by any act on the part of the city or of any person or corporation claiming an adverse interest in said property, the rental or a just and reasonable part thereof as agreed upon by said public works department and the company, or, in case of a failure so to agree, as determined by said department of public utilities, shall be suspended or abated during the time the company is kept out of possession or deprived of the use of the property or any part thereof. In case the city shall, during the term of such contract for use, reimburse the company for capital expenditures upon the property as provided in section four, the amount of such reimbursement shall be added to the fair and reasonable value of the property for the purpose of determining the rental thereafter payable by the company for use of the property.

Section 4. Said contract for use shall require the return of the property to the city at the termination of said use in good operating condition, and shall provide that the company may from time to time make such altera-

tions, replacements, additions and improvements in and to the property as the company shall deem to be necessary or advisable to put the property in good operating condition; provided, that no such alteration, replacements, additions or improvements shall be made, except in case of emergency, without the written consent of said public works department or a certificate from said department of public utilities that the proposed work is reasonably necessary or advisable to put the property in good operating condition. In case of any such alteration, replacement, addition or improvement, said department of public utilities shall on application of the company determine what proportion thereof, if any, constitutes a proper charge against capital, and the city shall thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the property.

Section 5. There shall be made, as of the date when the use of the property by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the property by a board of three persons, one appointed by said public works department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, shall exceed the valuation at the termination of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the termination of the use, the city shall pay over to the company an amount equal to such deficit.

Section 6. The treasurer of the city shall from time to time, on request of said public works department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding, in the aggregate, the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Gas Loan, shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city shall determine, and shall bear interest, payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet damages, cost and expenses incurred by said public works department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under authority of this act. The proceeds from any sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said property or shall be used for the payment of expenditures incurred for the acquisition of said property as said public works department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity as and for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

Section 7. In respect to the use and operation of the property, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it.

Section 8. The contract for the use of the property executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city of Boston or any other licensee of the commonwealth may at any time have to take the properties of the company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

CHAPTER 15, ACTS OF 1938.

An Act Extending the Time for the Acquisition by the City of Boston of Certain Property of the Dedham and Hyde Park Gas and Electric Light Company Located Within said City and the Lease Thereof to the Boston Consolidated Gas Company.

Be it enacted, etc., as follows:

Section 1. Section one of chapter two hundred and ninety-two of the acts of nineteen hundred and thirty-seven is hereby amended by striking out, in the fourth and fifth lines, the word "thirty-eight" and inserting in place thereof the word:—thirty-nine,—so as to read as follows:—Section 1. The city of Boston, hereinafter called the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and thirty-nine, purchase or take by eminent domain the physical property of the Dedham and Hyde Park Gas and Electric Light Company located within said city.

Section 2. Section nine of said chapter two hundred and ninety-two is hereby amended by inserting after the word "acceptance" in the first line the words:—during the year nineteen hundred and thirty-eight,—so as to read as follows:—Section 9. This act shall take effect upon its acceptance during the year nineteen hundred and thirty-eight by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the state secretary.

[Approved February 7, 1938.

ROBERTS PLAYGROUND IMPROVEMENT.

Coun. WILSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to obtain an estimate of the cost of constructing a low-peak dike or reinforced concrete wall

which will permit the flooding of Roberts Playground for skating and winter sports without the flooding of adjacent properties on Armandine street, Ward 17.

Passed under suspension of the rule.

CONSTRUCTION OF WARD 16 STREETS.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, lay out and accept Hutchinson street, Ward 16, as a public highway.

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, lay out and accept Redwood street, Ward 16, as a public highway.

Severally passed under suspension of the rule.

REMOVAL OF ELEVATED TRACKS, MATTAPAN SQUARE.

Coun. NORTON—Mr. President, I ask unanimous consent to have put in the record a letter from the Trustees of the Boston Elevated Railway with regard to the proposed abandonment of a portion of the road reservation in Blue Hill avenue, between Babson street and Mattapan square.

Unanimous consent was granted, and Coun. NORTON submitted the following:

Boston Elevated Railway,
February 23, 1938.

Councilor Clement A. Norton,
Boston, Mass.

Dear Councilor Norton,—The situation with regard to the reservation at Mattapan square is as follows:

The trustees, on August 12, 1935, voted "To deny the request that the Railway abandon a portion of its reservation in Blue Hill avenue, between Babson street and Mattapan square, because in the opinion of the Board, such abandonment would not be for the best interests of the car-riders."

In addition, to do this would entail a cost to the riders of \$17,000. The Board has stood ready, in cooperation with the city, to remove the third track and thus restore the space occupied by the unused third track to the highway and install a curbing to provide a sufficient width for a landing. What the situation amounts to is, which interest is the most important, the parking interest of stores in the direct vicinity or the proper operation of a line of surface cars which has very heavy traffic and runs on very frequent schedule.

With regard to paving the reservation, it is necessary to have a legislative act.

With kind personal regards,

Very truly yours,
EDWARD DANA.

Adjourned at 4.53 p. m., to meet on Monday, March 14, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 14, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd and Wilson.

JURORS DRAWN.

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

Eighty-six traverse jurors, Superior Criminal Court, to appear April 4, 1938:

Clarence T. Baker, Ward 1; Angelo Tortorice, Ward 1; William J. Abbott, Ward 2; William J. Carver, Ward 2; Phillip J. Dolan, Ward 2; Thomas J. Morrissey, Ward 2; Clayton F. White, Ward 2; Arthur S. Davenport, Ward 3; James P. McGaffigan, Ward 3; Charles S. Morse, Ward 3; Charles A. Johnson, Ward 4; Howard E. Rhodes, Ward 4; Henry J. Scanlan, Ward 4; Melzer H. Soule, Ward 4; George H. Stevens, Jr., Ward 4; Harold E. Bryant, Ward 5; John Molledo, Ward 5; Fred M. Roberts, Ward 5; George W. Wise, Jr., Ward 5; Alfonso B. Anderson, Ward 6; William P. Crowley, Ward 6; William F. Fitzgerald, Ward 6; George R. Stedman, Ward 6; James A. Costello, Ward 7; J. Jerome Reardon, Ward 7; Frank B. Giordano, Ward 8; James F. Moore, Ward 8; Frank R. Gardner, Ward 9; Patrick L. Hines, Ward 10; John J. Costello, Ward 11; Leo Gilmore, Ward 11; John Joseph Johnston, Ward 11; Richard W. Senf, Ward 11; Francis J. Potter, Ward 12; Daniel F. Sheahan, Ward 12; James A. Murphy, Ward 13; Robert M. Stephenson, Ward 13; William M. Wright, Ward 13; Jacob Goldstein, Ward 14; Abraham Kaplan, Ward 14; Jacob Miller, Ward 14; Raymond Callahan, Ward 15; Charles Elliot Drapper, Ward 15; James F. Moriarty, Ward 15; Barnet Wishnow, Ward 15; Richard E. Collins, Ward 16; David Marcus, Ward 16; Charles E. Skahane, Ward 16; Roger Stuart, Ward 16; Ralph P. Goldthwait, Ward 17; Giuseppe Gori, Ward 17; Clifford C. Ahern, Ward 18; Maurice Berman, Ward 18; Daniel F. Cameron, Ward 18; John F. Cobb, Ward 18; Thomas C. Dolan, Ward 18; John E. Driscoll, Ward 18; Michael J. McDermott, Ward 18; George F. McSherry, Ward 18; John J. Moynihan, Ward 18; Thomas H. Nickerson, Ward 18; Ralph L. Odiorne, Ward 18; Robert W. Parrott, Ward 18; Charles W. Taylor, Ward 18; Winthrop C. Adams, Ward 19; Edward Franklin Coolidge, Ward 19; Robert J. Dunlop, Ward 19; Bernard J. Lyman, Ward 19; Joseph McNangle, Ward 19; Alexander Rose, Ward 19; Herman C. Bernner, Jr., Ward 20; Walter Dawson, Ward 20; Charles H. Greim, Ward 20; Charles R. Hoppen, Ward 20; Ronald L. Leonard, Ward 20; John W. Towler, Ward 20; Clarence W. Wilson, Ward 20; Robert H. Caplan, Ward 21; Harold W. Ferry, Ward 21; David A. Nash, Ward 21; Charles T. Ross, Ward 21; Alfred E. Tracey, Ward 21; Thomas J. Cannon, Ward 22; David Gibson, Ward 22; Patrick J. Gilligan, Ward 22; Harry B. Sidd, Ward 22.

Eighty-eight traverse jurors, Superior Civil Court, to appear April 4, 1938, April Sitting:

Augustus T. Canty, Ward 1; John M. Driscoll, Ward 1; George F. Gowdy, Ward 1; Frank W. Lewis, Ward 1; Edward P. McEleney, Ward 2; Frank W. Downs, Ward 3; Barney Kaizerman, Ward 3; Ralph B. Rossi, Ward 3; Justin A. Wilson, Ward 3; Harry L. Curtis, Ward 4; William Wood, Ward 4; George E. Bishop, Ward 5; William Mellen, Ward 5; Martin P. Flaherty, Ward 6; Charles L. Smart, Ward 6; James J. Walsh, Ward 6; Coleman Feeney, Ward 7; Joseph W. Nee, Ward 7; James Connell, Ward 8; Mark Henry Crehan, Ward 8; Edward J. Donovan, Ward 8; Charles T. Fernandez, Ward 8; Richard A. Gillespie, Ward 8; Austin G. O'Malley, Ward 8; Cyril W. Smith, Ward 9;

Morris White, Ward 9; Conrad C. Langer, Ward 10; Timothy J. Mahoney, Ward 10; Roy A. Wilson, Ward 10; Thomas J. Garrity, Ward 11; Charles H. Gerstel, Ward 11; Charles L. Peterson, Ward 11; Wilton Chase Sargent, Ward 11; Thomas P. Carey, Ward 12; George H. Dutton, Ward 12; Harold D. Berrigan, Ward 13; George D. Friedburger, Ward 13; Charles J. Holt, Ward 13; John A. McStowe, Ward 13; William Manzing, Ward 13; Horace C. Stuart, Ward 13; Michael J. Wyse, Ward 13; Manus W. Eyges, Ward 14; Arthur Gold, Ward 14; Benjamin Green, Ward 14; Abraham Krinsky, Ward 14; Harry Mann, Ward 14; Lawrence J. Moore, Ward 14; Harry Yoffe, Ward 14; John V. Doyle, Ward 15; Martin J. O'Sullivan, Ward 15; Arthur F. Smith, Ward 15; Harry A. White, Ward 15; Laurence E. Cantwell, Ward 16; Benjamin G. Cheney, Ward 16; Wesley J. Davey, Ward 16; James P. Henry, Ward 16; Floyd L. Hicks, Ward 16; George F. Reardon, Ward 16; John D. Miller, Ward 17; John J. Coffey, Ward 18; John P. Cooley, Ward 18; Fred A. Freeman, Ward 18; Roger J. Hickman, Ward 18; Henry F. Meyer, Jr., Ward 18; Frank J. Zirilli, Ward 18; John F. Hunter, Ward 19; George W. Reid, Ward 19; Frederick E. Ziegler, Ward 19; Henry A. Fink, Ward 20; James A. Holt, Ward 20; Carl V. Lindstrom, Ward 20; James A. McNabb, Ward 20; Clifford H. Barker, Ward 21; William Boyd, Ward 21; John R. Cadigan, Ward 21; Edward S. Draper, Ward 21; Harry M. Ford, Ward 21; Chester F. Kelley, Ward 21; Fred C. Long, Ward 21; Edward H. Shea, Ward 21; Myron F. Welsch, Ward 21; Frank R. Williams, Ward 21; John R. Belluche, Ward 22; William I. Monroe, Ward 22; Thomas E. Morahan, Ward 22; Joseph M. Noonan, Ward 22; George A. Stevens, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Weights of Goods: Charles J. McGunigle, 54 Bayswater street, East Boston, Mass.; Randolph F. Taylor, Tileston road, Randolph, Mass.

Severally laid over a week under the law.

BORROWING OF \$500,000 ON TAX TITLES.

The following was received:

City of Boston,

Office of the Mayor, March 14, 1938.

To the City Council.

Gentlemen,—In accordance with the attached recommendation of the City Auditor, I submit herewith an order providing for the borrowing from the Commonwealth of \$500,000 on tax titles now in possession of the city.

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

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Auditing Department, March 14, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Sir,—Under the provisions of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, municipalities may borrow from the Commonwealth against tax titles in order to meet ordinary maintenance expenses or to redeem outstanding revenue loans. At the present time the city has in its possession tax titles totaling \$7,659,805.14. Against these titles there are outstanding at the present moment loans due the Commonwealth in the net amount of \$6,936,563.56. In view of the spread of \$700,000 between titles possessed and loans outstanding, I suggest that the City Council be requested to authorize the borrowing at this time of \$500,000 from the Commonwealth on tax titles now in the possession of the city. The City Treasurer will be called upon on the 25th day of the current month to redeem \$5,000,000 in temporary notes issued on May 24, 1937. The authorization by the City Council of the proposed tax title borrowing will assist the City Treasurer in the redemption of the temporary loan previously mentioned.

Respectfully,

CHARLES J. FOX, City Auditor.

Ordered, That under the provisions of section 2 of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, 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 \$500,000, said notes to be sold at their face value to the Commonwealth and the proceeds to be used to pay revenue loans of 1937.

Referred to Executive Committee.

WATER RATES, OLD HARBOR VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of February 28, 1938, concerning the water rates at the Old Harbor Village in South Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of February 28, 1938, requesting that his Honor the Mayor advise the City Council with reference to the water rates at the Old Harbor Village in South Boston.

In reply, you are informed that the bills for water at the Old Harbor Village will be rendered in accordance with meter readings at the following rates:

First 20,000 cubic feet, \$1.84 per 1,000 cubic feet.
Second 20,000 cubic feet, \$1.71 per 1,000 cubic feet.

Third 20,000 cubic feet and up to 1,000,000, \$1.58 per 1,000 cubic feet.

All over 1,000,000 cubic feet, \$1.05 per 1,000 cubic feet.

The meter readings will be grouped and a bill for the total will be rendered to the Boston Housing Authority in the same manner in which other large users of water are billed.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

DENTAL UNIT, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from Mr. Leo F. Power, Superintendent of Public Buildings, relative to your order of February 14, 1938, concerning space for a dental unit at the Hyde Park Municipal Building.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department,
March 4, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to the order of the City Council to provide space for a dental unit at the Hyde Park Municipal Building, I have to advise you that the Health Department now occupies considerable space in said building.

Inasmuch as a dental unit is a service under the jurisdiction of the Health Department, I believe this matter should be taken up with them. If the Health Department can make the necessary arrangements for furnishing equipment and the space is available, I will be glad to cooperate in any manner.

Respectfully yours,
LEO F. POWER,
Superintendent of Public Buildings.

Placed on file.

RACIAL DISCRIMINATION IN W. P. A. EMPLOYMENT.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. T. F. Sullivan, Administrative Assistant, relative to your order of February 28, 1938, concerning the discrimination against the employment of girls of the Jewish and Italian races in the W. P. A. household keepers project.

Respectfully,
MAURICE J. TOBIN, Mayor.

Area No. 1,
Works Progress Administration,
Boston, March 10, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am returning herewith order of the City Council dated February 28, 1938, as follows:

"That his Honor the Mayor be requested to confer with W. P. A. officials to determine whether or not there is any discrimination against the employment of girls of the Jewish and Italian races in the W. P. A. household keepers project."

In reply thereto I beg to advise that there is no discrimination against the employment of any person by reason of his or her race, color or religious belief on this or any other W. P. A. project in Boston.

Very truly yours,
T. F. SULLIVAN,
Administrative Assistant.

Placed on file.

SURVEY OF VAULTS, COALHOLES, ETC.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of February 14, 1938, concerning a W. P. A. project for the survey of all vaults, coalholes, bulkhead openings, cellars, entrances, steps, or other permanent excavations under or in the streets.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 11, 1938.
William T. Doyle,

Chief Clerk, Mayor's Office.
Dear Sir,—I return order passed by the City Council at its meeting of February 14, requesting that the Commissioner of Public Works, through his Honor the Mayor, undertake as a W. P. A. project a survey of all vaults, coalholes, bulkhead openings, cellars, entrances, steps, or other permanent excavations under or in the streets.

A project for such a survey has been prepared and has been submitted to the Government for approval. Upon receipt of information that the project has been approved, the survey will be started immediately.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RE-OCCUPANCY OF COUNCIL CHAMBER.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Leo F. Power, Superintendent of Public Buildings, relative to your order of February 14, 1938, concerning the Council Chamber being ready for re-occupancy.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department,
March 4, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Plans and specifications are now being drawn up for the reconstruction of the City

Council Chamber along with other necessary work in the old City Hall. Until these are completed and approved, no definite time can be given as to the date of re-occupancy by the City Council.

Respectfully yours,
LEO F. POWER,
Superintendent of Public Buildings.

Placed on file.

UNSANITARY CONDITION OF WARD 17
DUMP.

The following was received:

City of Boston,
Office of the Mayor, March 4, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Doctor Watts, Health Commissioner, relative to your order of February 14, 1938, concerning the unsanitary condition of the dump located between Washington street, Gallivan Boulevard and Morton street, Ward 17.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, March 3, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—In accordance with your communication of February 25, 1938, requesting consideration and report on City Council order of February 14, 1938:

"That the Health Commissioner be requested, through his Honor the Mayor, to correct at once the unsanitary conditions now being permitted to exist at the dump located in the area of vacant

land between Washington street, Gallivan Boulevard and Morton street, Ward 17",

our supervisor of that district submits the following report:

"This is a large tract of vacant land, hollow, which is being filled with clean filling for more than a year.

Recently some unauthorized trespassers have deposited some papers and other mixed refuse here.

"Before a complaint was received the route inspector noticed the unsanitary conditions and proceeded against the owner of the land, Jacob Friedberg, trustee, Codman Park Trust, 333 Washington street, Boston, on February 11, 1938, who promised to correct conditions.

"This location is not a licensed dump and never has been. At the present time the land is covered with snow.

"I talked with Police Captain Francis Murphy of Division 19 regarding refuse or rubbish being deposited here. He said, 'he would have the officers observe this land for violators.'

"This complaint will be followed up and, if conditions are not remedied, a complaint will be made in court against the owner."

Respectfully yours,
H. F. R. WATTS, M. D.,
Health commissioner.

Placed on file.

VACANT APARTMENTS IN CITY.

The following was received:

City of Boston,
Office of the Mayor, March 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Edward W. Fallon, Acting Police Commissioner, relative to your order of February 14, 1938, concerning the report on the number of vacant apartments in each police division in the city.

Respectfully,
MAURICE J. TOBIN, Mayor.

TOTAL NUMBER OF VACANT APARTMENTS IN EACH POLICE DIVISION IN THE CITY OF BOSTON, MARCH 8, 1938.

| POLICE DIVISION. | Total Number of Vacant Single Dwellings. | Total Number of Vacancies in Two-Family Houses. | Total Number of Vacancies in Three-Family Houses. | Total Number of Apartments Vacant in Buildings Constructed to House Four or More Families. | Total. |
|------------------|--|---|---|--|--------|
| 1..... | 1 | 2 | 17 | 101 | 121 |
| 2..... | | 1 | | | 1 |
| 3..... | 47 | 15 | 158 | 586 | 806 |
| 4..... | 199 | 64 | 417 | 511 | 1,191 |
| 6..... | 85 | 173 | 827 | 41 | 1,126 |
| 7..... | 28 | 40 | 234 | 25 | 327 |
| 9..... | 241 | 380 | 1,111 | 462 | 2,194 |
| 10..... | 132 | 334 | 1,054 | 510 | 2,030 |
| 11..... | 157 | 134 | 469 | 78 | 838 |
| 13..... | 67 | 123 | 205 | 130 | 525 |
| 14..... | 104 | 177 | 103 | 589 | 973 |
| 15..... | 67 | 245 | 697 | 75 | 1,084 |
| 16..... | 143 | 5 | 45 | 865 | 1,058 |
| 17..... | 144 | 76 | 21 | 7 | 248 |
| 18..... | 61 | 91 | 21 | 8 | 181 |
| 19..... | 44 | 95 | 153 | 36 | 328 |
| Totals..... | 1,520 | 1,955 | 5,532 | 4,024 | 13,031 |

Placed on file.

PENSION FOR KIN OF JAMES SREENAN.

The following was received:

City of Boston,
Office of the Mayor, March 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from William Arthur Reilly, Commissioner of the Fire Department, relative to your order of February 14, 1938, concerning the status of the matter of a pension for the kin of the late James Sreenan.

Very truly yours,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, February 28, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am returning herewith a copy of the following order which was passed by the City Council on February 14, 1938:

"Ordered, That the Fire Commissioner of Boston, through his Honor the Mayor, advise the Council relative to the status of the matter of a pension for the kin of the late James Sreenan. In City Council February 14, 1938. Passed.

Attest:
W. J. DOYLE,
City Clerk."

On January 15, 1938, I submitted to Mr. Robert E. Green, Clerk of Committees of the City Council, a report from Dr. Martin H. Spellman, Medical Examiner of the Fire Department, a copy of which is attached herewith.

It is my understanding that the matter is now in the hands of the City Council.

Very truly yours,
WM. ARTHUR REILLY,
Fire Commissioner.

Placed on file.

TRAFFIC SIGNALS, WARD 10.

The following was received:

City of Boston,
Office of the Mayor, March 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of February 7, 1938, concerning the installation of traffic signals at the junction of South Huntington avenue and Perkins street, Ward 10.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, February 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated February 7, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of South Huntington avenue and Perkins street, Ward 10."

The intersection of Perkins street and South Huntington avenue is included in a list of locations where traffic signals are proposed when funds are procured.

There are no funds available to this commission at present for the installation of a traffic signal at this location. The estimated cost of such an installation is \$2,400.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

FIRE SIREN, THOMPSON SQUARE.

The following were received:

City of Boston,
Office of the Mayor, February 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from William Arthur Reilly, Commissioner of the Fire Department, relative to your order of February 14, 1938, concerning a fire warning siren at Thompson square, Charlestown.

Very truly yours,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, February 28, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am returning herewith a copy of the following order of the City Council concerning a siren in Thompson square, Charlestown:

"Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to place a fire warning siren at Thompson square, Charlestown, for the safety and protection of pedestrians, especially children, and also vehicular traffic. In City Council February 14, 1938. Passed.

Attest:
W. J. DOYLE,
City Clerk."

I am also inclosing herewith a copy of the letter which I have already sent to Councilor Galvin concerning the installation of a siren horn in Thompson square.

Yours respectfully,
WM. ARTHUR REILLY,
Fire Commissioner.

City of Boston,
Fire Department, February 25, 1938.
Mr. William J. Galvin,
City Councilor.

Dear Councilor,—In reference to your letter concerning the placing of a siren horn in Thompson square which I previously acknowledged, I now wish to report that such a horn operated from the house of Engine Company 50 would require 1,200 feet of cable through existing ducts and the placement of the horn on a post over Box 4138. This could be done with material, valued at \$100, which we have in stock.

It is the opinion of experts in this department that siren horns placed on street corners do not always give the desired results, but it would seem as though Thompson square is as desirable as any location could be for such a signal and, accordingly, while we are trying to avoid additional expenses in this department, after full consideration of all the facts presented in the matter I am in agreement with you that this siren should be installed in Thompson square.

I am sending a copy of this letter to the Mayor and will act on the matter when and if the order reaches my desk.

Yours very truly,
WM. ARTHUR REILLY,
Fire Commissioner.

Placed on file.

BANDSTAND, FRANKLIN PARK.

The following was received:

City of Boston,
Office of the Mayor, March 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from W. P. Long, Chairman of the Park Department, relative to your order of February 14, 1938, concerning the restoration of the bandstand on Franklin Park as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, March 1, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of February 25, with inclosure, order from the City Council, relative to W. P. A. project, for the restoration of the bandstand in Franklin Park recently destroyed by fire.

The plans call for a cast stone base, concrete floor, cast stone columns, steel ceiling and imitation thatched roof.

These plans are now being completed in this office and, upon their completion, the project will be submitted to the Federal authorities for Federal funds to construct this building, which will be absolutely fireproof.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC SIGNALS, WARD 4.

The following was received:

City of Boston,
Office of the Mayor, March 2, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of February 7, 1938, concerning the installation of automatic traffic signals at the corner of Huntington avenue and West Newton street, Ward 4.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, February 25, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated February 7, 1938, which reads as follows:

“Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Huntington avenue and West Newton street, Ward 4.”

The intersection of Huntington avenue and West Newton street is included in a list of locations where this commission has recommended the installation of an automatic traffic signal if funds are procured for this purpose.

There are no funds available to this commission at present for erecting a signal at this location.

The estimated cost of such an installation is \$5,000.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

SIDEWALKS INSTALLED UNDER W. P. A. PLAN.

The following was received:

City of Boston,
Office of the Mayor, March 2, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from E. M. Richardson, Commissioner of Public Works, relative to your order of February 7, 1938, concerning sidewalks being installed under the W. P. A. plan on both sides of Roberts street, Ward 20, from Belgrade avenue to South street, and on one side of South street, from Walter to South Conway street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
February 26, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I return order passed by the City Council at its meeting of February 7, requesting that sidewalks be installed, under the W. P. A. plan, on both sides of Roberts street, Ward 20, from Belgrade avenue to South street, and on one side of South street, from Walter to South Conway street, and I respectfully report that the estimated cost of this work is \$2,000.

Both of these streets will be included in a W. P. A. project.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

SALE OF 26 MEDFORD STREET,
CHARLESTOWN.

The following were received:

City of Boston,
Office of the Mayor, March 2, 1938.

To the City Council.

Gentlemen,—I transmit herewith letter from the Superintendent of Public Buildings relating to the offer to purchase the following parcel of property, which property was acquired from foreclosure of tax title held by the city:

Vacant land at No. 26 Medford street, Charlestown, Mass.

I also transmit an order authorizing the sale of said parcel. The price recited in the order is a

minimum price, the Superintendent of Public Buildings having stated in his letter that the sale of this land at public auction with minimum price is in the best interests of the city. I respectfully recommend the adoption of these orders.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department,
February 8, 1938.

Maurice J. Tobin,
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 Mrs. Margaret Madden, 22 Medford street, Charlestown, Mass., for the vacant land at No. 26 Medford street, Charlestown, Mass., in the sum of one hundred fifty (150) dollars.

The costs to the city up to May 15, 1937, amount to four hundred ninety-seven dollars and seventy-six cents (\$497.76), which includes the nonpayment of taxes since 1930, but does not include interest.

If and when the above amount of one hundred fifty (150) 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 one hundred fifty (150) 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,
LEO F. POWER,
Superintendent of Public Buildings.

City of Boston,
Law Department, January 24, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office dated January 11, 1938, with which was submitted for my attention a letter, returned herewith, from Roswell G. Hall, the former Superintendent of Public Buildings, dated September 16, 1937, relating to an offer to purchase land and buildings on the southwesterly side of Medford street in that part of Boston called Charlestown.

The above-mentioned property was acquired through foreclosure of a tax title.

I am inclosing for your consideration a form of order which, if you approve, may be introduced in the City Council authorizing the sale of said property. The price recited in the inclosed form of order is \$150, Mr. Hall having stated in his letter to Mayor Mansfield that the sale of the premises at public auction at a minimum price of \$150 is in the interest of the city.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Whereas, The City of Boston by a decree of the Land Court, Suffolk Registry District, dated May 15, 1937, foreclosed the right of redemption in a tax deed recorded with Suffolk Deeds, Book 5294, page 141, to the land situated on the westerly side of Medford street in that part of Boston called Charlestown and being more fully described in said tax deed; and

Whereas, An offer to purchase the said land has been made by Mrs. Margaret Madden in the sum of one hundred and fifty dollars (\$150); now, therefore, it is hereby

Ordered, That the said 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

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 said City of Boston in said land upon the payment to it of the sum bid therefor at said auction.

Referred to Committee on Tax Title Property.

APPROPRIATION FOR CEMETERY
DIVISION.

The following was received:

City of Boston,
Office of the Mayor, March 1, 1938.
To the City Council.
Gentlemen,—In the preparation of the 1938 budget provision was made, as in 1937, that \$60,000 of the maintenance expenses of the Cemetery Division of the Park Department should be charged against income of the Cemetery Fund.

Before this income can be utilized it is necessary that an appropriation be made.
I accordingly submit herewith, in accordance with the provisions of chapter 117 of the Acts of 1913, an order providing for the appropriation from the income of the Cemetery Fund in the sum of \$60,000; the same to be utilized in meeting maintenance expenses of the Cemetery Division, and respectfully recommend adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That under the provisions of chapter 117, Acts of 1913, the sum of \$60,000 be, and hereby is, appropriated from the income of the Cemetery Fund, to be expended, under the direction of the Park Commissioner, for Cemetery Division, Maintenance and Improvement, \$60,000.
Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Gertrude Baker, for compensation for collapse of water boiler at 3 O street, caused by water being shut off.

Lillian E. Barnes, for compensation for damage to property at 23 Gates street, caused by broken water main.

Salvatore Bodalato, for compensation for injuries caused by city truck.

Earl M. Carriere, for compensation for damage to truck by city truck.

Elizabeth Chambers, for compensation for injuries caused by an alleged defect in stairway, Sumner to B streets.

Mrs. A. L. Connelly, for compensation for injuries caused by an alleged defect at 107 Queensberry street.

Hyman Davis, for compensation for injuries caused by city truck.

Carmela and John DeSimone, for compensation for injuries caused by city truck.

Dunham Trucking Company, Inc., to be reimbursed for overcharge paid to city.

Eagle Cleansers and Dyers, Inc., for compensation for damage to truck by fire apparatus.

Sarah Freedman, for compensation for damage to car by city team.

John J. Hines, for compensation for glasses broken at City Hospital.

Nicholas F. Lawless, for compensation for damage to car by Sanitary wagon.

Thomas F. Londergan, to be reimbursed for execution issued against him.

Annie W. Lynch, for compensation for injuries caused by fall on stairs of Girls' Trade School.

Charles G. Nyberg, for compensation for damage to property and injuries caused by city car.

Eleanor O'Neil, for compensation for injuries caused by an alleged defect at 1385 River street.

Anthony Ruffo, for compensation for injuries caused by an alleged defect at 20 Arlington place.

Frank B. Tague, for compensation for damage to car by ash cart.

Mary E. Whitney, for compensation for damage to car by city truck.

Executive.

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

Viola K. Breiding, Y. W. C. A. Hall, March 10.

Murray Allen, Jordan Hall, May 14.

Committee on Jitney Licenses.

Petition of Oakdale Community Garage Bus Line for license to operate motor vehicles from Dedham and Boston line on Route 1 over Route 1

to Spring street, Centre street, Columbus avenue, Stuart street, Broadway to termin.

APPOINTMENTS BY THE MAYOR.

Notices were received of the following appointments by the Mayor:

Hugh J. Campbell, Esq., 53 Robinwood avenue, Jamaica Plain, to be Institutions Commissioner, for term ending April 30, 1942.

James A. Burke, 1336 River street, Hyde Park, to be Registrar of Births, Deaths and Marriages, for term ending April 30, 1942.

Daniel P. McGillicuddy, 22 Francis street, Roxbury, to be member of Transit Commission, for term ending April 30, 1939.

Placed on file.

APPOINTMENT OF JAMES J. MAHAR.

Notice was received from the Department of School Buildings of appointment of James J. Mahar, to be Superintendent of Construction, Department of School Buildings, effective as of March 5, 1938.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Henry J. Smith of interest of his employers, Hornblower & Weeks, in sales of bonds to City of Boston.

Placed on file.

SOLDIERS' RELIEF.

Coun. IRWIN, for the Committee on Soldiers' Relief, submitted order 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.

Report accepted; order passed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of John M. Fogarty (referred February 14) to be reimbursed for amount of execution issued against him on account of his acts as employee of Sanitary Division, Public Works Department, while dumping refuse into tipcart—recommending passage of accompanying order, viz.:

Ordered, That the sum of three hundred and fifty dollars (\$350) be allowed and paid to John M. Fogarty in reimbursement for amount of execution issued against him on account of his acts as an employee of the Sanitary Division, Public Works Department, while emptying refuse into a tipcart, said sum to be charged to the Contingent Fund.

Report accepted, said order passed.

2. Report on petition of Neil Kearney (referred February 28) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Paving Division, Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of seventy-five dollars (\$75) be allowed and paid to Neil Kearney in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

3. Report on petition of Joseph C. Morgan (referred February 28) 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 one hundred fifty-eight dollars and seventy-five cents (\$158.75) be allowed and paid to Joseph C. Morgan 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 Contingent Fund.
Report accepted; said order passed.

RECESS.

The President at 2.34 p. m. declared a recess, subject to the call of the Chair. The members reassembled in the Council Chamber and were called to order at 3.30 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. AGNEW, 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.:

Viola K. Breiding, Y. W. C. A. Hall, March 10; Murray Allen, Jordan Hall, May 14—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on petition of Mary E. Connelly (referred January 31) to be paid annuity on account of death of her husband, Patrick F. Connelly, 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 two thousand dollars be allowed and paid to Mary E. Connelly, widow of Patrick F. Connelly, a member of the Fire Department, who died on June 7, 1934, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Mary E. Connelly, 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:

Robert J. Connelly, born June 25, 1920; Anna Connelly (twin), born July 17, 1923; Mary Connelly (twin), born July 17, 1923; Catherine Connelly, born March 14, 1926; Joseph Connelly, born April 20, 1931,—

the payments to date from June 7, 1934, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed.

3. Report on petition of Udavilla Learson (referred January 24) to be paid annuity on account of death of her husband, Ernest G. C. Learson, 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 Udavilla Learson, widow of Ernest G. C. Learson, a member of the Fire Department, who died on December 14, 1937, on account of injuries received in the performance of his duty, said annuity to continue so long as she remains unmarried; the payments to date from December 14, 1937, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; order passed.

4. Report on message of Mayor and order (referred today) for approval of Emergency Finance Board for issuance of notes of city in amount of \$500,000 against tax titles—that same ought to pass.

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

5. Report on message from Mayor and order (referred today) appropriating \$60,000 for maintenance expenses of Cemetery Division of Park Department—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

ROPING OFF STREETS FOR MARATHON RACE.

Coun. SHATTUCK offered the following:
Ordered, That the City Messenger be authorized to do the necessary roping in connection with the Forty-Second Annual American Marathon Race, to be held on April 19, 1938, the expense attending same to be charged to the City Council Fund, Items B-5 and B-42.

Passed under suspension of the rule.

CONSTRUCTION OF WARD 1 STREETS UNDER W. P. A. PLAN.

Coun. IRWIN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Faywood avenue, Ward 1, from No. 116 to No. 152, as a public highway, under the W. P. A. plan of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Drake place, Ward 1, as a public highway, under the W. P. A. plan of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Frankfort street, Ward 1, from No. 373 to No. 385, as a public highway, under the W. P. A. plan of construction.

Severally passed under suspension of the rule.

PAYMENT TO WIDOW OF HAROLD J. KRANER.

Coun. IRWIN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the payment of a sum of money to the widow of the late Harold J. Kraner, who was recently killed at the East Boston Airport, provided that such legislation contains a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

HALF HOLIDAY, MARCH 17.

Coun. KERRIGAN and GEORGE MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to grant a half-day holiday to all city employees on March 17, Evacuation Day.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF VINCENT PRINCIPATO.

Coun. FITZGERALD 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 Vincent Principato, who was drowned at the North End Park bathing beach when he fell off some planks which were negligently placed by W. P. A. workers, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

CONSTRUCTION OF WARD 10 STREETS.

Coun. CAREY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Nira avenue, Ward 10, under the W. P. A. plan of construction, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Harleston street, Ward 10, under the W. P. A. plan of construction, as a public highway.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave Terrace street, Ward 10.

Severally passed under suspension of the rule.

PERMANENT EMPLOYMENT OF JOHN NEWTON.

Coun. CAREY, for Coun. Dowd, offered the following:

Resolved, That the Mayor and City Council favor the enactment of legislation authorizing the

permanent employment in the Park Department of John Newton, formerly a temporary employee of that department, injured in the course of his employment, provided that such legislation contains a referendum to the Mayor and the city Council.

Passed under suspension of the rule.

PAYMENT TO JOSEPHINE E. RANNEY.

Coun. CAREY, for Coun. Dowd, offered the following:

Resolved, That the Mayor and City Council favor the enactment of legislation authorizing the City of Boston to pay a sum of money to Josephine E. Ranney, because of injuries received at the Boston City Hospital, provided that such legislation includes a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

CONTRACT OF ALVIN J. PIECZOWSKI.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to cancel the contract of Alvin J. Pieczowski, for the removal of ashes and garbage in the Jamaica Plain, Roslindale and West Roxbury districts.

Coun. ENGLERT—Mr. President, speaking upon this order, I might say that I have recently received a number of complaints from the people of my district in regard to the removal of ashes and garbage. This contract was given out to the Thoma Trucking Company, and later on, on January 4, there was a shift or reorganization and a man named Alvin J. Pieczowski now has the contract. Three or four years ago this man had the contract out in that section and a number of complaints were sent to the Public Works Commissioner in regard to the removal of ashes and garbage. The following year he was the low bidder, and the Mayor at that time would not give him the contract on account of the complaints that had been made to the Public Works Department the year before. Since January 4 I have received so many complaints that it is clear that the people out there are really disgusted with the work being done under that contract. The city inspectors assigned to the collection of ashes and garbage have tried to check up on him, but he feels as though he does not have to pay any attention to the city inspectors and instead of collecting ashes on Monday he will go around on Saturday. Also, he is supposed to pay the men according to the contract, 62½ cents an hour, but every morning at seven o'clock this contractor will be at his location to and will pick up the cheapest labor he can hire to do the work. Those who are lucky may get \$4 a day, but some only \$3 a day. Besides, I have had five or six men come to me and give me the names of fourteen men now working for him, living in Wollaston, East Dedham, Randolph, Braintree, Quincy, Wilmington, Woburn, Holbrook and Somerville, who are taking the places of Boston men who were dropped on January 15. He takes those men because they will work more cheaply, and he is paying them \$4 a day or less instead of \$5. I hope the Mayor will take the contract away from this man, Alvin J. Pieczowski.

The order was passed under suspension of the rule.

REPAIRS AT JOHN J. CONNOLLY PLAYGROUND.

Coun. ENGLERT offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make the necessary repairs to the John J. Connolly Playground, Ward 11, at the earliest possible date.

Passed under suspension of the rule.

REPAIRS AT JOHN W. MURPHY PLAYGROUND.

Coun. ENGLERT offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make

the necessary repairs to the John W. Murphy Playground, Ward 11, at the earliest possible date.

Passed under suspension of the rule.

POSITIONS HELD BY MARRIED WOMEN.

Coun. HUTCHINSON offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation (House Bill No. 94) providing that no married woman shall hold a civil service position unless she establishes that her husband is unable to support her.

Passed under suspension of the rule.

TRAFFIC LIGHTS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to include in his budget for 1938 a sum sufficient for the installation of traffic signals and lights at the most dangerous intersections of Boston, said work to be done as a W. P. A. project.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of Blue Hill avenue and Seaver street, and more particularly at the intersection facing Franklin Park.

Coun. ROSENBERG—Mr. President, we have a particularly bad situation, so far as lack of proper lighting is concerned, at the corner of Blue Hill avenue and Seaver street, more particularly at the intersection facing Franklin Park. That intersection has traffic lights, but conditions are particularly dangerous where the Elevated stops at that corner. I am surprised that there have not been more persons injured and suffering from accidents by reason of the darkness at that intersection. There is a particular threat to automobiles going along there and traveling up onto the railway track. I believe that many accidents there can be eliminated and safety to the public traveling in that neighborhood greatly increased by the installation there of an arc light.

The orders were passed under suspension of the rule.

BUS SERVICE TO CARSON BEACH.

Coun. ROSENBERG offered the following:

Ordered, That the trustees of the Boston Elevated be requested, through his Honor the Mayor, to extend the bus line service operated during the summer months from Franklin Park Station to Carson Beach, to start at Blue Hill avenue and Morton street, Dorchester.

Passed under suspension of the rule.

CONSTRUCTION OF WARD 20 STREETS.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out, under the W. P. A. plan of construction, Oak avenue, Elmwood street and Alaric street, Ward 20, as public highways.

Passed under suspension of the rule.

FIRE STATION, WARD 20.

Coun. LYONS offered the following:

Ordered, That his Honor the Mayor be requested to include in his 1938 budget a sum sufficient to provide for the construction of a fire station in the Grove street section of Ward 20.

Passed under suspension of the rule.

LIGHTS IN FALLON FIELD.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install lights in Fallon Field, Roslindale, from the South street entrance to the Belgrade avenue entrance.

Passed under suspension of the rule.

HYDE PARK-DEDHAM GAS BILL.

Coun. NORTON offered the following:

Ordered, That the President of the Council be requested to appoint a committee of seven to report to the Council on the advisability of the Council accepting the so-called Hyde Park-Dedham gas bill passed by the 1938 Legislature.

The order was passed under suspension of the rule.

President KERRIGAN appointed as said committee Coun. Shattuck, Norton, Agnew, Sullivan, Lyons, Hutchinson, Peter A. Murray.

TAXES ON AUTOS IN BOSTON.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider legislation relative to the collection of city taxes on autos in Boston.

Passed under suspension of the rule.

REPAIRS IN VICINITY OF GEORGE STREET, WARD 18.

Coun. NORTON offered the following:

Ordered, That the W. P. A. Administrator of Boston, through his Honor the Mayor, furnish the Council with information relative to the right of the Government to make repairs in the vicinity of George street, Ward 18, in the manner now being pursued.

Passed under suspension of the rule.

INVITATION TO PRESIDENT ROOSEVELT.

Coun. GALVIN offered the following:

Ordered, That his Honor the Mayor be requested to invite President Franklin D. Roosevelt to participate in the annual Bunker Hill Day celebration in Charlestown on June 17.

Passed under suspension of the rule.

COMPENSATION FOR COUNCIL POLICE OFFICERS.

President KERRIGAN offered the following:

Ordered, That until otherwise ordered there be allowed and paid to each of the four police officers

detailed for extra services at the meetings of the City Council and committees thereof the sum of two hundred dollars a year, to date from March 1, 1938, in part compensation for such extra services, such payments to continue while said officers are so detailed, and to be charged to the appropriation for City Council, A-1.

Coun. NORTON—Mr. President, I would like to just say a word of appreciation of the courtesy shown here by the police officers assigned for duty to the Council.

The order was passed under suspension of the rule.

REPAVING OF WARD 4 STREETS.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave or resurface Warren avenue, Ward 4.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface West Newton street, Ward 4.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface St. Botolph street, Ward 4.

Severally passed under suspension of the rule.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor February 28, 1938, of John C. Matthews, Morris Borenstein, Sarah Tucker and Ethel Sherer, to be Weighers of Coal.

The question came on confirmation of the appointments. Committee, Coun. Sullivan and Irwin. Whole number of ballots 16; yes 16, and the appointments were confirmed.

Adjourned, on motion of Coun. SHATTUCK, at 4.10 p. m., to meet on Monday, March 21, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 21, 1938.

Regular meeting of the City Council in Faneuil Hall, at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd, Taylor and Wilson.

EXECUTIVE APPOINTMENT.

Subject to confirmation by the Mayor, the following appointment was received:

Weighter of Coal: David Daniels, 61 Norwell street, Dorchester, Mass.

Laid over a week under the law.

OLD HARBOR VILLAGE TAXES.

The following was received:

City of Boston,
Office of the Mayor, March 7, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Henry Parkman, Jr., Corporation Counsel, relative to your order of February 14, 1938, concerning taxes on the Old Harbor Village.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, March 7, 1938.

Hon. Maurice J. Tobin,
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 on February 14, 1938:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council promptly:

1. In brief, what was the contention of the Law Department of the City of Boston relating to the right of the city to tax Old Harbor Village, as contained in the opinion of Corporation Counsel Foley, now in the files of the Law Department?

2. What is the present contention of the Law Department relating to the right of the City of Boston to assess a real estate tax on Old Harbor Village?

3. Exactly what steps are now contemplated by the city authorities to establish the right of the City of Boston to collect a real estate tax on Old Harbor Village?

4. Exactly what is the extent of the authority of the State Housing Authority to fix the amount of a service charge to be paid the City of Boston in lieu of real estate taxes on Old Harbor Village?

5. From the viewpoint of whether the real estate may be legally taxed by the City of Boston, what is the legal distinction, if any, between the Old Harbor Village project and the several housing projects now under consideration and contemplated for Boston, following the tentative allocation of \$9,000,000 by the United States Housing Authority to the Boston Housing Authority for slum clearance and low-rent housing?"

1. My predecessor in office, Henry E. Foley, wrote an opinion to former Mayor Frederick W. Mansfield, dated October 4, 1937, relating, in part, to the right of the city "to impose real estate taxes on the Old Harbor Village property . . . The foregoing opinion was transmitted to the City Council on October 4, 1937, and is printed as part of the minutes of the meeting of the City Council of said date.

2. The foregoing opinion of Mr. Foley properly states, in my opinion, that "there is substantial doubt as to the taxability of the Federal real estate devoted to the Old Harbor Village Housing project."

3. I have been advised that negotiations have been entered into between the United States

Housing Authority and the Boston Housing Authority relative to a proposed lease of the Old Harbor Village project by the former to the latter; and that one of the provisions of the proposed lease sets forth an annual payment to the United States Housing Authority of the sum of \$15,000 per annum to be used as payment to the city in lieu of taxes on the Old Harbor Village project. I know of no other steps presently contemplated by "the city authorities to establish the right of the City of Boston to collect a real estate tax on Old Harbor Village."

4. In my opinion, there is no provision of law authorizing the State Board of Housing "to fix the amount of a service charge to be paid the City of Boston in lieu of real estate taxes on Old Harbor Village." I call your attention, however, to the provisions of section 26Y of chapter 121 of the General Laws, as inserted by section 5 of chapter 449 of the Acts of 1935, which contains the following provision:

"It (the State Board of Housing) may from time to time make, amend and repeal rules and regulations fixing standards and principles governing the planning, construction, maintenance and operation of projects by housing authorities."

5. Inasmuch as the real estate constituting the Old Harbor Village project is owned by the United States of America, the problem of its taxability or its exemption from local taxation must be considered in the light of Clause First of section 5 of chapter 59 of the General Laws, as amended (see answers to inquiries 1 and 2, and opinion of Henry E. Foley, former Corporation Counsel, to former Mayor Frederick W. Mansfield, dated October 4, 1937). Inasmuch as any proposed low-rent housing projects for which Federal aid will be granted will be constructed, if constructed at all, by the Boston Housing Authority, pursuant to the provisions of the United States Housing Act of 1937 (Public Act No. 412 of the 75th Congress of the United States), and pursuant to the provisions of future legislation enacted to relate the Massachusetts Housing Authority law to United States Housing Act of 1937, and such proposed low-rent housing projects, if constructed, will be owned by the Boston Housing Authority, the problem of the taxability or exemption from taxation of such proposed low-rent housing projects would be determined by the provisions of such future legislation, if any, relating to taxability or exemption from taxation. (See proposed section 26W of said chapter 121 of the General Laws, as set forth in section 1 of 1938 House Bill No. 1610, accompanying Part VI of the Report of the Special Commission on Taxation and Public Expenditures.)

Very truly yours,

HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

DUMPING LOTS.

The following was received:

City of Boston,
Office of the Mayor, March 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from E. M. Richardson, Commissioner of Public Works, relative to your order of February 28, 1938, concerning the dumping of ashes and rubbish in such locations as will eliminate any charge to the city.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
March 15, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I herewith return information requested by City Council order of February 28 concerning the dumping of ashes and rubbish in such locations as will eliminate any charge to the city.

The Public Works Department owns only one small area near the Pumping Station at Mile road, which has been used for the dumping of old automobiles. All other dumping areas are privately owned and the city must pay a dumping charge of 50 cents a load from the Elm Hill district, the other sections of the city either being under yearly contract or under the ten-year contract of the Coleman Disposal Company.

Two years ago we had the use of free land from the Gas Company on Mile road, but we were required to employ laborers and watchmen, and machines to level off the dumps, which was far more costly than what we are paying at the present time for dumping privileges.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

CAR SERVICE, HUNTINGTON AVENUE LINES.

The following was received:

City of Boston,
Office of the Mayor, March 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Edward Dana, President and General Manager of the Boston Elevated Railway Company, relative to your order of January 24, 1938, concerning the service on the Huntington avenue line during rush hours.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
March 9, 1938.

Mr. W. T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—Please pardon the delay in replying to your letter of February 1, with which you forwarded order of the City Council requesting better service on the Huntington avenue line during rush hours.

We have been checking this service and have made some changes in it to meet the riding requirements.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

SAFETY ISLAND ON LOWELL STREET.

The following was received:

City of Boston,
Office of the Mayor, March 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of February 7, 1938, concerning the placing of a safety island at the intersection of Lowell, Nashua and Brighton streets, opposite the Public Works Building.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, March 10, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated February 7, 1938, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to place a safety island at the intersection of Lowell, Nashua and Brighton streets, opposite the Public Works Building."

Also, attached communication from Edward M. Richardson, Commissioner of Public Works, dated February 19, 1938.

We have prepared a plan showing a proposed traffic island in Lowell street at Nashua street. Copies of this plan have been forwarded to Public Works Commissioner Edward M. Richardson, with the request that his department construct the island under a W. P. A. project which his department is sponsoring.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

POLICE LISTING OF RESIDENTS.

The following was received:

City of Boston,
Office of the Mayor, March 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Edward W. Fallon, Acting Police Commissioner,

relative to your order of January 24, 1938, concerning the Police Listing of residents being in effect and ready for distribution on or by May 1, 1938.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Police Department, March 2, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your communication of February 5, 1938, inclosing City Council order relative to compiling and printing the Police Listing of residents for distribution on or by May 1, 1938, please be advised that I am in receipt of a report from John J. Twomey, Acting Superintendent, Printing Department, City of Boston, stating that it would be impossible to have the listing ready for distribution on May 1, 1938, without additional expenses to the Listing Board.

Very truly yours,
EDWARD W. FALLON,
Acting Police Commissioner.

Placed on file.

EXTENSION OF SERVICE TO FRANKLIN PARK STATION.

The following was received:

City of Boston,
Office of the Mayor, March 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Edward Dana, President and General Manager of the Boston Elevated Railway, relative to your order of February 14, 1938, concerning the extension of the present Grove Hall-Blue Hill-Dudley Street line to Franklin Park Station.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
March 1, 1938.

Mr. W. T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—Replying to your letter of February 25, the trustees have previously given consideration to request for extension of the Dudley Street-Blue Hill Avenue-Grove Hall service to Franklin Park.

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 a five-cent local fare to those points.

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.

For these reasons the trustees do not feel that it would be advisable to extend the service as requested.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

STEAM PIPES OVER STONY BROOK.

The following was received:

City of Boston,
Office of the Mayor, March 7, 1938.
To the City Council.

Gentlemen,—I am forwarding herewith an order granting to Reid Brothers Laundry, Inc., the right to place steam pipes across and over Stony brook. This request has the approval of the Sewer Division of the Public Works Department and accordingly I recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, January 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Inclosed is an order relative to the placing of a steam pipe across Stony brook to connect the buildings numbered 15 and 19 on Lanesville terrace, Roslindale.

The plans for this work have been approved by George Dakin, Division Engineer of the Sewer Department, and Edward M. Richardson, Commissioner of Public Works.

If this order meets with your approval it may be introduced in the City Council.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Whereas, Stony brook, located in that part of Boston called Roslindale, is owned in fee by the City of Boston where said Stony brook is crossed by Lanesville terrace, said city having acquired the area as set forth in a taking dated December 11, 1873; and

Whereas, Reid Brothers Laundry, Inc., is the owner in fee of land with buildings, thereon abutting Stony brook on both sides thereof, a building being on the land on each side of said Stony brook, and said buildings being numbered 15 and 19 on Lanesville terrace; and

Whereas, Said Reid Brothers Laundry, Inc., owner of said land and buildings as aforesaid, is desirous of placing a steam pipe across and over said Stony brook to connect the two buildings numbered 15 and 19 on said Lanesville terrace in a manner satisfactory to the Commissioner of Public Works; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized in consideration of one dollar paid by said Reid Brothers Laundry, Inc., to the City of Boston to execute and deliver, in the name and behalf of the City of Boston, a license in form satisfactory to the Law Department of the City of Boston wherein said Reid Brothers Laundry, Inc., is authorized to erect and place a steam pipe across and over said Stony brook connecting the buildings owned by Reid Brothers Laundry, Inc., numbered 15 and 19 Lanesville terrace, the work of erecting and placing said steam pipe over and across said Stony brook to be performed in accordance with plans approved by the Commissioner of Public Works of the City of Boston.

Referred to the Committee on Public Lands.

ONE-WAY TRAFFIC FOR HUBERT STREET.

The following was received:

City of Boston,
Office of the Mayor, March 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of February 7, 1938, concerning Hubert street, Ward 9.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, March 4, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated February 7, 1938, which reads as follows:

“Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to designate Hubert street, Ward 9, as a one-way street.”

Hubert street, Ward 9, is about 460 feet long, extending from Shawmut avenue to Westminster street, and is the usual width of suburban streets, namely, a twenty-six-foot roadway with two seven-foot side walks.

The volume of vehicular traffic using this street is negligible because the street forms a “T” intersection at each end and for that reason does not attract any through traffic.

It is our opinion that traffic conditions in Hubert street do not warrant making it a one-way street.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

POLICE OFFICER AT COLUMBUS AVENUE INTERSECTION.

The following was received:

City of Boston,
Office of the Mayor, March 17, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Joseph F. Tilty, Police Commissioner, relative to your order of February 28, 1938, concerning the placing of a police officer at the intersection of Columbus avenue and Clarendon street, between the hours of 12 and 2 p. m. and 4 to 6 p. m.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Police Department, March 15, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—With reference to your communication, dated March 7, 1938, with which you forwarded to this office an order passed by the City Council on February 28, 1938, directing that the Police Commissioner be requested, through his Honor the Mayor, to station a police officer at the intersection of Columbus avenue and Clarendon street, between the hours of 12 and 2 p. m. and 4 to 6 p. m., investigation has been made, and I am sending herewith, in quadruplicate, copy of report of Deputy Superintendent John T. O'Dea of this department.

I am returning herewith the original order of the City Council, copy of which has been retained for the files of this department.

Very truly yours,
JOSEPH F. TILTY,
Police Commissioner.

City of Boston,
Police Department, March 10, 1938.
To the Acting Superintendent.

Sir,—With reference to the attached communication from the Acting Commissioner to you, wherein he states:

“Attached is a communication from William T. Doyle, Chief Clerk, Mayor's Office, together with order of the City Council relative to stationing a police officer at the intersection of Columbus avenue and Clarendon street, between the hours of 12 and 2 p. m. and 4 to 6 p. m.”, I respectfully report that on account of the extreme shortage of police officers in the department at the present time it is practically impossible to carry out the request of this order between the hours of 12 and 2 p. m.

With regard to the request to cover this post between the hours of 4 and 6 p. m. I will make every effort to have an officer at this intersection for the purpose of carrying out this order. I am satisfied that this will suffice for the present. If, at any future time, I am able to place an officer at the intersection of Columbus avenue and Clarendon street, as requested in the order, between the hours of 12 and 2 p. m. I will be only too glad to do so.

Therefore I respectfully recommend that William T. Doyle, Chief Clerk, Mayor's Office, be so notified so that he can bring this matter of request to the attention of the City Council, which order was before that body on February 28, 1938.

Respectfully submitted,
JOHN T. O'DEA,
Deputy Superintendent,
Commanding Traffic Division.

Placed on file.

PETITIONS REFERRED.

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

Claims.

James J. Belleu, to be reimbursed for execution issued against him on account of his acts as employee of Public Works Department.

John J. Cloonan, for compensation for damage to garbage container at 107 Bennett street, by ashmen.

Paul Devoe, for compensation for injuries caused by an alleged defect in Dorchester Avenue Bridge.

Carol C. Gleason, for compensation for damage to car and personal injuries caused by city truck.

Nathan Levine, for compensation for injuries caused by an alleged defect at Kingston and Essex streets.

Brandy S. Marmoron, for compensation for injuries and damage to property caused by an alleged defect in Dorchester Avenue Bridge.

Mary V. Mullin, for compensation for injuries caused by an alleged defect at 1952 Beacon street.

Mutrie Truck Rental, Inc., for compensation for damage to truck by city truck.

Mary A. Petkon, for compensation for injuries caused by an alleged defect at Berkeley and Stuart streets.

Santa Prestandrea, for compensation for injuries caused by an alleged defect in Leverett street.

Thomas Sweeney, for compensation for damage to property caused by automobile.

Edward Tberiault, for compensation for damage to car by car of Health Department.

Executive.

Petition of Mary A. Manning to be paid an annuity on account of death of her husband, John F. Manning, member of the Police Department.

Petition of Boston American League Baseball Company for license for outdoor athletic sports on Lord's Day at Fenway Park.

Petition of National League Baseball Club for license for outdoor athletic sports on Lord's Day at 34 Gaffney street.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between City square, Charlestown, and Boston-Chelsea line on Chelsea Bridge, over City square, Park street, Henley street, Chelsea street and Chelsea Bridge, return over Chelsea Bridge, Chelsea street, Joiner street, Water street and Warren avenue.

OPPOSITION TO CURTAILMENT OF FERRY SERVICE.

A communication was received from the City Clerk of the City of Revere inclosing copy of order passed by City Council March 14, 1938, in opposition to any curtailing of ferry service by City of Boston from East Boston to Boston proper.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Edward F. McClennen, employed as Special Assistant Corporation Counsel, of interest of his firm in settlement of assessed valuation of premises 276 and 278 Summer street.

Placed on file.

SCHOOL PROPERTY AT WASHINGTON AND STIMSON STREETS.

The following was received:

City of Boston,
School Committee, March 17, 1938.

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

Dear Sir,—Inclosed I am sending you a copy of the order passed by the School Committee on March 15, 1938, which order was prepared by the Corporation Counsel.

For your information, I am inclosing a copy of the Corporation Counsel's letter of January 21, 1938, in answer to Secretary's communication of January 19, 1938, copy inclosed; also copy of Secretary's communication to the Corporation Counsel on the subject, dated December 29, 1937, and his reply under date of January 15, 1938.

Very truly yours,
ELLEN M. CRONIN, Secretary.

City of Boston,

In School Committee, March 15, 1938.

Ordered, That the school property situated at the corner of Washington street and Stimson street, in that part of Boston called West Roxbury, which was conveyed to the Inhabitants of the Town of West Roxbury by deed dated June 30, 1864, and recoded with Norfolk Deeds, Book 325, page 119, is no longer needed for school purposes and that the said property be, and it is hereby, surrendered to the Mayor and City Council of the City of Boston.

Passed unanimously.

A true copy.

Attest:

ELLEN M. CRONIN, Secretary.

City of Boston,

Law Department, January 21, 1938.

Miss Ellen M. Cronin,

Secretary, School Committee.

Dear Miss Cronin,—Your letter dated January 19, 1938, wherein you seek information relative to the disposal of the school lot situated at the corner of Washington street and Stimson street, has been received by me.

Upon consultation of your files, you will perceive that Mr. Foley, in a letter to you dated January 15, 1938, advised that if the School Committee determines that the said property, namely, the property at the corner of Washington and Stimson streets, is no longer needed for school purposes and if the Park Department is willing to take control of the said property for park purposes, that the School Committee may pass a vote that said property is no longer needed for school purposes and so notify the City Council.

The school property situated at the corner of Stimson street and Washington street was conveyed to the Inhabitants of the Town of West Roxbury by deed dated June 30, 1864, and recoded with Suffolk Deeds, Book 325, page 119. The deed was given upon the condition that said granted premises shall be used by the said Inhabitants for the purpose of erecting and maintaining a school building thereon or in case the same shall cease to be used for school purposes, then said inhabitants shall lay out and maintain the same as a public park forever.

Unless the said condition in the deed is complied with, the heirs of the grantor might bring a writ of entry to obtain possession of the land. I am informed that it has not been used for school purposes for some years. Unless, therefore, it is used for park purposes the condition in the deed will be violated and the heirs of the grantor may by proper procedure obtain possession of the property.

I am of the opinion, therefore, that the proper course to pursue in the matter is for the School Committee to pass a vote setting forth that the said premises are no longer needed for school purposes and surrendering the same to the Mayor and City Council of the City of Boston. This surrender, however, should be accompanied by a letter setting forth that the said premises may be used for no other purpose than the purpose of a public park, in accordance with the terms of the deed by which it was conveyed to the Inhabitants of the Town of West Roxbury.

I am inclosing a form of vote which may be used by the School Committee if they think it proper. By a proper order introduced in the City Council, the said premises may be placed in the care and custody of the Park Department of the City of Boston.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

FORMER SCHOOL PROPERTY FOR PUBLIC PARK.

Coun. LYONS offered the following:

Ordered, That the property at the corner of Washington street and Stimson street, West Roxbury, surrendered to the Mayor and City Council by an order of the School Committee passed March 15, 1938, for the reason that it is no longer needed for school purposes, be, and hereby is, placed in the care and custody of the Park Department, to be laid out and maintained as a public park.

Coun. LYONS—Mr. President, the land referred to in this order is a school lot at the corner of Washington and Stimson streets in my district. The lot was deeded to the Town of West Roxbury in 1864 with the condition that it be used for school or park purposes. For many years it was used for a primary school, but its use for school purposes has been discontinued by the School Committee and the land surrendered to the City Council. Under the conditions of the deed, unless we now use it for park purposes the land will revert to the heirs of the original grantor and the city will be the loser. Accordingly, I ask for the suspension of the rules and the passage of the order.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. PETER A. MURRAY, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition (referred March 14) of Boston Elevated Railway to withdraw petition for license to operate motor vehicles between Brookline line and Kenmore square—recommending that leave to withdraw be granted.

Report accepted; leave to withdraw granted.

RECESS.

On motion of Coun. SHATTUCK the Council voted at 2.19 p. m. to take a recess subject to the call of the Chair. The members reassembled in Faneuil Hall and were called to order by President KERRIGAN at 2.49 p. m.

REPORT OF COMMITTEE ON TAX TITLE PROPERTY.

Coun. GEORGE A. MURRAY, for the Committee on Tax Title Property, submitted the following:

Report on message of Mayor and order (referred December 27, 1937) for sale of properties at Townsend street and Wachusett street—recommending that the orders ought to pass.

Report on message of Mayor and order (referred February 14) for sale of tax title property at 85-97 Gold street, South Boston—recommending that the order ought to pass.

Report on message of Mayor and order (referred March 14) for sale of tax title property at 26 Medford street, Charlestown—recommending that the order ought to pass.

Reports accepted; said orders passed, yeas 18, nays 0.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

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

1. Action on appointments submitted by the Mayor March 14, 1938, of Charles J. McGunigle and Randolph F. Taylor, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Shattuck and Sullivan. Whole number of ballots 17, yeas 17, and the appointment was confirmed.

PAYMENT TO CITY COUNCIL POLICE OFFICERS.

Coun. FITZGERALD offered the following:

Ordered, That until otherwise ordered, there be allowed and paid to each of the five police officers detailed for extra services at the meetings of the City Council and committees thereof, the sum of two hundred dollars a year, to date from March 1, 1938, in part compensation for such extra services, such payments to continue while said officers are so detailed, to be charged to the appropriation for City Council, A-1.

Ordered, That the order passed by the City Council March 14, 1938, and approved by the Mayor March 15, 1938, providing for the payment of four police officers he and hereby is rescinded.

Passed under suspension of the rule.

ROPING OFF STREETS.

Coun. ENGLERT, for Coun. Dowd, offered the following:

Ordered, That the City Messenger he, and he hereby is, authorized to rope off Union Park street, between 2 and 4 p. m., on Saturday, April 9, 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.

OPPOSITION TO SENATE 306.

Coun. CAREY offered the following:

Resolved, That the City Council of Boston hereby opposes the enactment of Senate Bill No. 306, entitled "An Act Establishing a Board of Recreation for the City of Boston."

Coun. CAREY—Mr. President, my purpose in introducing that order here today is to call attention to an attempt that is being made under this bill to establish a board of recreation for the City of Boston, something that this city has not asked for and which would not be in the interest of the city. The bill is introduced by Harry B. Taplin of Wellesley for legislation to establish a board of recreation for the City of Boston. It provides for a board of recreation for the City of Boston, consisting of seven members, who shall serve without compensation, and that the board shall appoint a superintendent of recreation, who, with the approval of the board, shall appoint a staff sufficient in number to administer the board's recreational programs. The act provides in section 3 that the City Council shall appropriate each year not less than \$7,500 for the purpose of meeting the salaries of the superintendent and his office staff, that "the city of Boston from time to time may in addition appropriate such other sums as it may deem necessary or expedient for the conduct of the work of the said board of recreation and for an adequate staff of recreation supervisors and employees. Such appropriations shall be made in the manner required by law for the other appropriations by the said city in the exercise of its general powers."

The Park Commission was originally set up in the year 1875. In the year 1913 it entered into recreational activities and its name was changed to Park and Recreation Department. In 1928 the Boston Park Department competitive sports program was originated by the department. Under this bill there is contemplated a new setting up of our Park and Recreation Department, to be called a "Board of Recreation for the City of Boston," with a loss of jobs for hundreds of residents of the city. This is clearly a bill that interferes with Boston's local self-government, and, having in view the high record of accomplishment by our Park and Recreation Department which has been handled by a capable and efficient force, there certainly seems to be no need for anybody to ask for a change in the set-up. The reason for originating the Boston Park Department's competitive sports program in 1928, was because of the feeling that there was a need for a supervised program that would cover the following four groups:

1. The independent, unattached street corner groups of boys.

2. Boys who were too light to participate in high school sports.

3. To develop an outlet for school boys who have been denied the privilege of college sports.

4. The industrial division was to provide a carry-over for men who have played in schools and colleges, and wish to carry on in a milder form in teams representing their own companies.

In the early days there were naturally many more difficult problems to be faced than are faced at the present time, but when the players realized that these sports would be under the capable supervision of the Boston Park Department, that was one of the most important reasons for the success of the administration of "sand lot sports." An interesting and successful policy that has been in operation relative to individual competition, such as track meets, boxing, wrestling, horseshoe pitching contests, marble contests, etc., is that whenever individual competitions are held it is strictly a novice event. The Boston Park Department athletic administration personnel consists of General Director William P. Long and Director of Competitive Sports William M. Mullen, and ten district supervisors in charge of

RESURFACING OF WARD 11 STREETS.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving the following streets in Ward 11:

Boynton street, Custer street, Atherton street, Haverford street, Thornton street.

Passed under suspension of the rule.

ninety playground instructors operating on sixty-five playgrounds throughout the city during the summer months and eleven gymnasiums in the winter. Many of these instructors are college men, many of whom were prominent in the field of sports,—such men as Buck O'Brien, former Red Sox pitcher, Jack Ryan, former Red Sox manager, Jack Maloney, former Georgetown Varsity Football coach, Ed Robinson, former Brown coach, who incidentally participated in the dedication of the Rose Bowl, George Kenneally, coach of the Shamrocks professional team, George Taylor, Bill Nyhan, Frank Maloney, former Boston College football stars, Jack Ryder, Boston College track coach, who formerly worked with us during the summer months, and Tom Kirby, former professional New England light heavy-weight boxing champion. The staff have training schools in football by the various men mentioned as instructors, basketball school supervised by Oswald Tower, editor-in-chief of the Basketball Guide, and a school of baseball umpiring with major league umpires as officials. In fact, every form of sport is gone over thoroughly in the approach to the youngsters on the playgrounds. As a result of the football school thirty-four instructors have successfully passed and become members of the New England Board of Football Officials, thirty-two instructors have successfully passed the examination and become members of the Eastern Board Basketball Officials, seventy-five have successfully passed the examination of our umpiring school. Incidentally, Bill Stuart, the major league umpire, is a graduate of our Park Department umpiring school. It would seem that the present set-up is well qualified to carry on, and that the people of Boston, both young and old, are well taken care of in the matter of recreation. There are such officially supervised events as baseball, basketball, boys' horseshoe pitching tournaments, boys' wrestling contests, boys' Badminton, calisthenics, football, fencing, gymnastic exhibitions, handball, indoor hall, kite flying, little world series and tennis, besides many others. It may be interesting to know that in 1937 approximately ten million people found recreation in attending these various events. I feel that the members of the City Council need only to have their attention called to it to be very much interested in defeating this hill. A hearing is to be had on the hill on Wednesday, March 30. I certainly hope that in the meantime each member will look into the matter and be prepared to oppose the hill when it comes up for hearing.

Coun. PETER A. MURRAY—Mr. President, I believe that this is an attack on home rule, an attempt to take the Park and Recreation Department out of the hands of the City of Boston and out of civil service. It is my opinion it is a very dangerous hill, and I hope that the Chair will name a committee of five members to meet next week and go before the committee of the Legislature in opposition to the bill.

The order was passed under suspension of the rule.

WARD 20 IMPROVEMENTS.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light on the left-hand side of Spring street, at the junction of Centre street, Ward 20.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a spot light in front of St. Theresa's Church on Centre street, Ward 20, as a means of protection for the police officer while directing traffic at night.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as public highways, under the W. P. A. plan of construction, the following streets in Ward 20:

Hollywood road, extension of Theodore Parker road, Courtney road, Wicker street.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to make the necessary repairs to the brick sidewalk in front of the Longfellow School on Hewlett and Walter streets, Ward 20, which is in an unsafe condition and hazardous to school children.

Severally passed under suspension of the rule.

WARD 9 IMPROVEMENTS.

Coun. HARRIS offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install new sidewalks on both sides of Dudley street, from Washington street to John Eliot square, as a W. P. A. project.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install new sidewalks on both sides of Kenilworth street, Roxbury, Ward 9, as a W. P. A. project.

Severally passed under suspension of the rule.

HOBART SCHOOL IMPROVEMENTS.

Coun. SULLIVAN offered the following:
Ordered, That the Commissioners of School Buildings be requested, through his Honor the Mayor, to repaint, both inside and out, the Hobart Street School, Brighton, and also provide for the resurfacing of the school yard, as a W. P. A. project.

Passed under suspension of the rule.

WARD 13 IMPROVEMENTS.

Coun. HUTCHINSON offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 13 under the W. P. A. plan of construction:

Dewey street, Fairbury street, Auckland street, Bakersfield street, Belfort street, Sagamore street, Pearl street, Sudan street, Sumner street, Grandpian way, Rockmere street.

Passed under suspension of the rule.

ACCEPTANCE OF ROCKINGHAM ROAD.

Coun. NORTON 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, Rockingham road, Mattapan, under the W. P. A. type of construction.

Passed under suspension of the rule.

RESURFACING OF METROPOLITAN AVENUE.

Coun. NORTON offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth paving, Metropolitan avenue, between Washington street and Poplar street, Ward 18.

Passed under suspension of the rule.

FEDERAL PAYMENT, OLD HARBOR VILLAGE.

Coun. NORTON, by unanimous consent, had the following letter placed in the minutes:

Department of the Interior,
United States Housing Authority,
Washington, February 28, 1938.

Dear Mr. Norton,—Allow me to acknowledge your letter of February 23 concerning the question of payments in lieu of taxes for the Old Harbor Village Project in South Boston.

Under separate cover we are sending you some material on low-rent housing. There is inclosed a copy of the United States Housing Act of 1937 which governs the administration of the projects of this Authority.

There are fifty-one projects similar to the Old Harbor Village Project. These projects were constructed by the Housing Division of the Public Works Administration and were transferred by executive order on November 1 to the United States Housing Authority. Under the terms of the United States Housing Act of 1937, these projects are to be disposed of through sale or lease to public housing agencies as soon as practicable. As you probably know, an understanding relative

to the lease of the Old Harbor Village Project has been arrived at with the Boston Housing Authority.

Of the fifty-one projects, thirty-six are now occupied. Twelve of these projects are being administered by local housing agencies and the balance by the United States Housing Authority. I believe all of these projects may be said to be operating successfully.

The experience we have had to date with these projects is ample proof that people can be taken from the slums and placed in the nicest apartments without abuse of this privilege. The old statement that slum people will "keep coal in the bath tub" when moved into a decent home has been exploded. The project which has been longest in operation is the Techwood Homes Project in Atlanta, Georgia. This project was occupied on August 15, 1936. During the year 1937 the rents charged to the tenants of this project totaled \$230,000. On January 31, 1938, only \$212 of this rent had not been collected from the tenants. This \$212 represents less than one-tenth of one per cent of all the rent charged. As in all of our projects, no family was permitted to live in Techwood Homes unless the family was found, after careful investigation, to be living in sub-standard housing conditions.

The real proof of the statement that slum families do take advantage of better housing, however, could only be demonstrated by a visit to a project such as this. The New Towne Court Project in Cambridge has only been open since January 16, but you might be interested in visiting it. That project is being operated by the Cambridge Housing Authority.

The United States Housing Act of 1937 requires that the rents be sufficient to pay all operating expenses. It is therefore necessary that the tenants be able to pay the rent. In other words,

the housing is designed for families who do have enough money to pay some rent and provide the other necessities of life, but who do not have sufficient income to pay the rent which private enterprise must charge to provide decent housing accommodation. Housing alone cannot remedy the condition of families who have no income.

This policy is an equitable one and conforms with recognized housing practice abroad. The rehousing of slum families is not part of the relief problem, in my opinion, and never can be completely solved if it is not completely divorced therefrom.

Please feel free at all times to call on me for any information concerning the low-rent housing program. Your sincere interest in the Old Harbor Village Project is deeply appreciated.

Faithfully yours,

NATHAN STRAUS, Administrator.

Mr. Clement A. Norton,
Superintendent Commonwealth Pier,
Boston, Mass.

ROPING OFF STREETS.

Coun. PETER A. MURRAY, ENGLERT, LYONS and CAREY offered the following:

Ordered, That the City Messenger be, and he hereby is, authorized to rope off streets, in accordance with the annual custom, for the annual ten-mile road race of the Michael J. O'Connell Post, A. L., Jamaica Plain, on April 16, 1938.

Passed under suspension of the rule.

Adjourned at 3.07 p. m., on motion of Coun. HARRIS, to meet on Monday, March 28, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 28, 1938.

Regular meeting of the City Council in Faneuil Hall, at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd.

\$600,000 APPROPRIATION FOR SEWERAGE WORKS.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.

To the City Council.

Gentlemen,—I submit herewith appropriation and loan orders making available, roughly, \$600,000 for the construction of sewerage works in the various sections of the city. Of the total amount involved, \$450,000 will be raised by borrowings within the debt limit of the city and \$159,054.47 will be raised within the current year's tax levy.

It is contemplated that the total amount to be appropriated will be utilized in the main in connection with W. P. A. sewerage projects. From a report submitted to me by the Commissioner of Public Works it is evident that work may be started forthwith on projects on which the city's contribution will be approximately \$415,000. It is further anticipated that projects involving the construction of sewerage works in newly laid out streets will permit the development of projects on which the city's contribution will be, roughly, \$150,000. With the balance remaining in the total authorization it is planned to carry on sewerage construction by the day labor forces of the Sewer Division.

I am informed that the balances remaining in the appropriations of the Sewer Division are very low and that it is necessary, if plans for the new work are to go forward, that funds be made available as soon as possible. I suggest, therefore, that immediate consideration be given by your Honorable Body to the order providing for the appropriation within the tax levy of the current year of \$159,054.47. This order, because of its character, will require only one reading, and, by its adoption, funds will be made available for an immediate start on the contemplated sewerage construction program of the city for the year.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That under the provisions of section five of chapter two hundred and twenty-four of the Acts of nineteen hundred and thirty-six the sum of one hundred fifty-nine thousand, fifty-four dollars and forty-seven cents (\$159,054.47) be, and the same is hereby, appropriated, to be expended, under the direction of the Commissioner of Public Works, for the construction of sewerage works, said amount to be raised by taxation on the polls and estates in the City of Boston.

Ordered, That under the provisions of section one of chapter one hundred and seventy-eight of the Acts of nineteen hundred and thirty and section five of chapter two hundred and twenty-four of the Acts of nineteen hundred and thirty-six the sum of four hundred and fifty thousand dollars (\$450,000) be, and the same is hereby, appropriated, to be expended, under the direction of the Commissioner of Public Works, for the construction of 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 Executive Committee.

PETITIONS RECEIVED.

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

Claims.

Florence H. Baker, for compensation for damage to car by police car.

A. A. Beck, for compensation for injuries caused by an alleged defect at Blue Hill avenue and Franklin Park Parkway.

George Cohen, for compensation for damage to truck by city car.

Alice Coughlin, for compensation for injuries caused by an alleged defect in Roxbury street.

Edmund Currie, to be reimbursed for execution issued against him.

John Driscoll, to be reimbursed for execution issued against him.

Martin Durant, for compensation for injuries caused by an alleged defect at 4 Rutland street.

Rose Flanagan, for compensation for injuries caused by an alleged defect at Eliot street monument.

G. Fuller & Sons Lumber Company, for compensation for damage to car by fire truck.

A. C. Lawrence Leather Company, for compensation for damage to property at 210 South street, caused by leak in water main.

Vincent P. Moynihan, for compensation for damage to car caused by an alleged defect in Morton street.

Elsie F. O'Bryant, for compensation for injuries caused by an alleged defect in Zeigler street.

Arthur A. O'Connor, to be reimbursed for execution issued against him.

Josephine Wolf, for compensation for damage to truck by city truck.

Emily Marshall, for compensation for damage to car by city truck.

Executive.

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

Mae Sahl, Jeremiah E. Burke School, March 28.
Skating Club of Boston, Boston Garden, April 1 and 2.

Lilla Frances Viles, Current Events Clubhouse, May 14.

Petition of Annie T. Sheehan, to be paid annuity on account of death of her husband, James F. Sheehan, late member of Fire Department.

ELECTION OF WILLIAM A. MOTLEY, JR.

Notice was received from the Board of Street Commissioners of election of William A. Motley, Jr., as chairman of Board.

Placed on file.

MINORS' LICENSES.

Applications for licenses were received from forty newsboys and four bootblacks. Licenses granted under usual conditions.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

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

1. Action on appointment submitted by the Mayor March 21, 1938, of David Daniels, to be a Weigher of Coal.

The question came on confirmation. Committee, Coun. Irwin and Sullivan. Whole number of ballots 15, yes 15, and the appointment was confirmed.

REINSTATEMENT OF PATRICK J. O'ROURKE.

Coun. IRWIN offered the following:
Ordered, That chapter 141 of the Acts of 1938, entitled "An Act Providing for the Reinstatement of Patrick J. O'Rourke in the Police Department of the City of Boston," be, and hereby is, accepted. Referred to Executive Committee.

WARD 15 IMPROVEMENTS.

Coun. KELLY offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on both sides of Kimball street, Ward 15, as a W. P. A. project.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor to install an electric arc light at the corner of Olney and Richfield streets, Ward 15.

Severally passed under suspension of the rule.

REDUCTION OF FIRE INSURANCE RATES.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to confer with the State Commissioner of Insurance relative to securing a reduction of the fire insurance rates on property in the City of Boston in view of the low fire loss ratio in Boston in recent years.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.19 p. m., on motion of Coun. FISH, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 3.46 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

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

Mae Sahl, Jeremiah E. Burke School, March 28; Skating Club of Boston, Boston Garden, April 1 and 2; Lilla Frances Viles, Current Events Club-house, May 14—recommending that leave be granted on usual conditions.

Report accepted; leave granted on usual conditions.

2. Report on resolve (referred February 14) in favor of enactment of legislation to amend provisions for retirement of assistant clerks of courts—that same ought to pass.

Report accepted; resolve passed.

3. Report on order (referred today) in favor of acceptance of act for reinstatement of Patrick J. O'Rourke—that same ought to pass.

Report accepted; said order passed.

4. Report on petition of National League Baseball Club for license for Sunday sports (referred March 21)—recommending that permit be granted.

Report on petition of Boston American League Baseball Company for license for Sunday sports (referred March 21)—recommending that permit be granted.

Reports accepted; said permits granted under usual conditions.

5. Report on message of Mayor and orders (referred today) appropriating \$600,000, to be expended, under direction of Commissioner of Public Works, for construction of sewerage works—that same ought to pass.

The report was accepted and the orders were passed, yeas 20, nays 0.

6. Report on message of Mayor and order (referred February 14) authorizing sale of ferryboats "Lieutenant Flaherty" "Daniel A. McCormack"—recommending passage of accompanying new draft, viz.:

Ordered, That the Commissioner of Public Works be, and hereby is, authorized to sell, at a duly advertised public auction, the ferryboat "Lieutenant Flaherty," at an upset price of forty thousand dollars and the ferryboat "Daniel A. McCormack," at an upset price of eighty thousand dollars.

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

Coun. IRWIN—Mr. President, I hope this order will not pass. I think by this time the members of the Council are familiar with the peculiar position of East Boston. That has become more apparent in the last three months than it has been for years. On account of the way we are situated we need certain connections from East Boston to the city proper and back. It is true that we have the Sumner Tunnel and certain bridges, but those are simply a substitute for the roads which connect other districts of the city with the city proper. It was pointed out in executive session by the district engineer of the ferries that in January 1,200 or 1,300 foot passengers used the ferryboats daily, that at times one boat was necessary to bandle the horse-drawn vehicles, and that if there were but two boats left in the service and one was taken off

for repairs or inspection, it would be a very serious handicap to the people of East Boston and to those who desired to go there. For instance, at certain times one of the boats would have to be put in the dock, because the United States law requires that boats be inspected at certain intervals. The Ferry Service is subject to the order of the United service in that respect, and compliance with the order is mandatory on the part of the City of Boston. We were told that at times such a boat was out for four weeks, and if there were but two boats left in the service there would be but one running at such times, to the very serious inconvenience of those depending upon that service. Bear in mind, also, whether or not you represent that district in this body, you are also representing here the entire citizenry of Boston, taxpaying concerns and individuals who are paying large amounts into the city treasury and who would be very seriously handicapped in their operations by the cutting down of that service. Those who try to do away with or curtail the Ferry Service always figure that the city is spending something over \$200,000 upon that service, and that there would be that saving by doing away with it. But that is a very incorrect and fallacious way to look at the matter. Aside from personnel—and, of course, in these times, personnel has to be taken care of, if taken away from one place being put in comparable positions, there is but \$70,000 spent for maintenance of those ferryboats. In other words, by curtailing or wiping out this service you are striking at the welfare cases and the W. P. A. cases, who are now spending all they can afford in getting to the city proper and back by means of that service, and you are really saving only \$70,000. The people now accommodated have no other means of getting to and from town without an expenditure that they cannot afford, except by means of the bridges. There are four bridges which one can cross to reach the city proper, and in trying to save this \$70,000 you are striking a serious blow at the man and woman who cannot afford a more extravagant transportation service. You have to consider those who cannot afford the ordinary fares, you have to consider the woman pushing baby carriages, you have to consider elderly people and others who could not afford the time and who have not the energy to cross and recross those bridges on foot. So I do not consider that an extravagant expenditure to give to all such people the accommodation that they have had for years and that they are dependent upon. Certainly, \$70,000 a year is not too much to expect for that purpose from the city. After all, that means of conveyance is only a road, and the members having roads to and from their districts to the city proper would consider \$70,000 a year a very small amount for upkeep. So far as the personnel on the ferries is concerned, certainly none of us wish to see men losing their positions in times like these. That is a matter of concern to each one of you. We don't want to see positions abolished, and I know that the Mayor in all sincerity intends not to abolish a position. He intends to raise revenue and to save money, in which aims we are all with him, but he does not intend to do so at the expense of the pocketbook of the most humble person. Therefore, I want you to think this matter over very seriously. It is a matter that affects not me, personally, but everyone of you. Come over to my district and find what the sentiment of the people is and see what the conditions of the people are. You will find that these ferryboats are necessary to them, and that if there is a serious curtailment of that service it will be a distinct injury to the people of that district and those who have business that brings them there. If, as I have said, the service is reduced to two boats, there will be the serious interruption at intervals because of examination by the United States inspectors, to say nothing of possible breakdowns. For many of the people, there is no means of transportation between the city and East Boston except by those ferries, and they can hardly be expected to take the time and expend the physical energy that would be required in crossing and recrossing four bridges. There is also to be considered, as I have said, the woman in the summertime with her baby carriage. How is she going to get across, and how are the poor people, generally, who cannot afford to go on the cars or through the tunnel going to get to and fro? Of course, we all believe in economizing where we can, but we are supposed to be humane and not to economize at the expense of the small fellow, the poor person. Therefore, I hope you gentlemen before you cast your votes will think this matter over very seriously.

Coun. SHATTUCK—Mr. President, these ferries are not the only transportation facilities to and from East Boston. If the ferries did not exist today, nobody would think of establishing them, there have been so many facilities for travel to and from East Boston furnished since the ferries were established. It was called to our attention in Executive Committee that there are four highways connecting East Boston with the mainland. Also in recent years, since the ferries were established, there is the Boston Elevated tunnel and more recently the vehicular tunnel. There are also the ferries connected with the Boston, Revere Beach & Lynn railroad. The Elevated is losing money, and the City of Boston is paying a large part of the deficit; the tunnel is losing money and the City of Boston is paying the deficit. People riding on these ferries are directly drawn away from the Elevated and the tunnel, causing those facilities to lose more money than they otherwise would. The only vehicles not making use of the tunnel are horse-drawn vehicles, and Mr. Sexton told us that there were only eighty-six trips of horse-drawn vehicles both ways, daily, for which we are spending \$322,000 a year and taking in \$30,000 a year. In other words, we are losing nearly \$300,000. It is true that a considerable part of that is for labor, but under the policy of the Mayor he proposes to fill vacancies by transfers so that that labor can be absorbed and ultimately the full saving will be effected. The sale of these boats will leave two boats still in operation. At the height of the season there were 842 motor vehicles and 86 horse-drawn vehicles daily. A ferryboat will carry about thirty-six vehicles, so that it would take about twenty-five trips a day to carry that load, and if they have trips of two boats each way they could carry that load in about a quarter of a day, much less than twenty-four hours. These figures are of individual trips, not round trips. There are supposed to be trips each way twice an hour, and there will be one boat to spare. In the event of the very unusual circumstance where a boat is being repaired, there are, of course, the facilities of the Elevated and of the tunnel, to take care of everything except the eighty-six horse-drawn vehicles a day, and for those, of course, there are the four bridges. So East Boston cannot be cut off under any circumstances. There are the three facilities upon which we are losing enormous amounts of money,—the Elevated, the tunnel and the ferries,—in addition to the four bridges. This proposed action will reduce the outgo on one of those facilities, the ferries, and will tend to reduce somewhat the deficit on the other two. As to the prices that can be obtained for these boats, I thought the Mayor was fairly high in the figures he gave. I doubt if he can get more than his upset figures. I am sure he has looked into the matter carefully. I have confidence in his judgment and I doubt if the higher price set by the committee can be obtained for one of these boats, the "McCormack." His upset price of \$60,000 is increased in this order which now comes before us to \$80,000. I would move, therefore, that the price of the "McCormack" be reduced to the Mayor's figure, \$60,000, from \$80,000, and I hope if this amendment prevails that both orders will be adopted.

The question came on the adoption of Coun. Shattuck's amendment.

Coun. WILSON—Mr. President, while what the councilor from the Back Bay says may be correct, and undoubtedly is, I understand that the "Lieutenant Flaherty" was built in 1921 at a cost of \$392,000, and that the "Daniel A. McCormack" was built in 1926, at a cost of \$268,000, both boats having an estimated life of twenty years, and with a present book value of the "Flaherty" of \$70,000 against the suggested figure of \$40,000, and with a present book value of the "McCormack" of \$120,000, or twice the figure contained in the Mayor's original order. Bearing those figures in mind, while it may be that the councilor from the Back Bay is correct, I personally would hope, in the case of a boat built only eleven years ago, that we could come nearer to the cost of \$268,000 in our salvage than \$60,000 would appear to be.

Coun. SHATTUCK—Mr. President, I don't think book value has much to do with the question. The book value is a value from which certain depreciation has been taken annually. The real question is, What you can get for them? These boats are highly specialized boats and cannot be used in many places. There are very

few people who could make use of them. Besides, they would have to be moved to different parts of the country and, in order to be able to operate them under the special circumstances for which they had been purchased, slips would have to be altered, all that sort of thing, to fit the particular dimensions. Therefore, you can't figure on the cost of the boat, and you cannot expect to get the book value in a sale. Book value and market value are two absolutely different things. I believe the Mayor has looked into the possibilities carefully and that we should accept his judgment.

Coun. Shattuck's amendment was lost, and the question came on the passage of the order as reported by the committee.

Coun. KELLY—Mr. President, I would like to make an amendment, that we sell only one boat. I would move, therefore, that we sell only the "Flaherty" and that the other matter be laid on the table.

President KERRIGAN—Councilor Kelly moves to amend the order by striking out "ferryboat 'Daniel A. McCormack' at an upset price of \$80,000."

Coun. Kelly's amendment was declared adopted, Coun. SHATTUCK doubted the vote and asked for the yeas and nays.

Coun. PETER A. MURRAY—Mr. President, I would move to amend, that we go back to the original order.

President KERRIGAN—The amendment is out of order. The question now is on verifying by roll call the vote on Councilor Kelly's amendment, which was that only one boat, the "Flaherty," be sold.

Coun. Kelly's amendment was declared adopted, yeas 11, nays 9:

Yeas—Coun. Agnew, Carey, Englert, Fish, Galvin, Irwin, Kelly, George A. Murray, Rosenberg, Taylor, Wilson—11.

Nays—Coun. Chase, Fitzgerald, Harris, Hutchinson, Kerrigan, Lyons, Peter A. Murray, Shattuck, Sullivan—9.

President KERRIGAN—The question now comes on the passage of the order as amended.

The order as amended by Coun. Kelly was declared passed.

Later in the session Coun. SHATTUCK said: Mr. President, I move reconsideration of our action on the order in regard to the sale of ferryboats, and if reconsideration prevails, I shall move to substitute the order as presented originally by the Mayor. I wish to vote on the order originally presented, and I believe a number of other councilors wish to do the same.

Coun. IRWIN—Mr. President, I hope that this Council today will not make itself ridiculous. I certainly appreciate the vote that has been given, to sell only one boat. I think that is enough, if we are to have efficient ferry service to East Boston. After the Council has acted the way it has, in a way that I consider almost a personal tribute to me as the member of the Council representing East Boston, I certainly trust that the members will not now make themselves ridiculous by changing their votes. Of course, if they wish to act in that way they can go ahead and do it, but when they do so, they should thoroughly realize that they are voting to seriously cripple a very necessary East Boston service. That is what they are doing when they sell both of these boats. I do not feel that the members should make themselves ridiculous by such a change in vote after acting as they have, particularly in a matter that seriously concerns thousands of people. Of course, it is up to the councilors themselves. If they want to cast aside the action they have already taken, I suppose they can do so. But when they cast their previous vote, I certainly thought, that they meant it in all sincerity.

Reconsideration of the vote passing the amended order was declared lost, Coun. SHATTUCK doubted the vote and asked for the yeas and nays. Reconsideration prevailed, yeas 12, nays 7:

Yeas—Coun. Chase, Fish, Fitzgerald, Galvin, Harris, Hutchinson, Kerrigan, Lyons, George A. Murray, Peter A. Murray, Rosenberg, Shattuck—12.

Nays—Coun. Agnew, Carey, Englert, Irwin, Kelly, Taylor, Wilson—7.

Coun. SHATTUCK—Mr. President, I now move to substitute the order originally submitted by the Mayor for the order that we recently passed as amended.

The question came on Coun. Shattuck's motion to substitute.

Coun. WILSON—Mr. President, speaking on the motion, I certainly thought, for what it may be worth, that the councillor from East Boston (Coun. Irwin) endeavored to be very fair with the members of the Council in putting himself in a position where he was ready to vote for the sale of one of the boats. I would appreciate, as one who voted in the negative on the original order, if any members of the Council have received additional information, their being sufficiently courteous to the other members of the Council to lay the cards on the table and give us that information.

Coun. AGNEW—Mr. President, is Councilor Shattuck's motion in order?

President KERRIGAN—The motion to substitute the Mayor's original order for the order before us is in order.

Coun. IRWIN—Mr. President, if in order, I would move that the entire matter be laid on the table for a week.

Coun. Irwin's motion to lay the matter on the table was declared carried. Coun. SHATTUCK doubted the vote and asked for the yeas and nays.

The motion to lay the matter on the table for a week was carried, yeas 10, nays 9:

Yeas—Coun. Agnew, Carey, Englert, Harris, Hutchinson, Irwin, Kelly, Peter A. Murray, Rosenbergh, Taylor—10.

Nays—Coun. Chase, Fish, Fitzgerald, Galvin, Kerrigan, Lyons, George A. Murray, Shattuck, Wilson—9.

TAX TITLE LOAN OF \$500,000.

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

2. Ordered, That under the provisions of section 2 of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, 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 \$500,000, said notes to be sold at their face value to the Commonwealth and the proceeds to be used to pay revenue loans of 1937.

On March 14, 1938, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

AUTOMATIC TRAFFIC SIGNALS, WARD 12.

Coun. TAYLOR offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Seaver street and Humholdt avenue, Ward 12.

Coun. TAYLOR—Mr. President, I suppose you might expect this to be the ordinary order put in by a member to satisfy his constituents, attempting to do something in their behalf. I can very readily appreciate what will probably happen to the order. It will very likely be sent down to the Traffic Commissioner and his Honor the Mayor will receive back a letter, which he will forward to the Council, undoubtedly stating that at such and such a location, at the corner of Seaver street and Humholdt avenue, during the past year there have been so many accidents, but, unfortunately, because there are no available funds, nothing at all can be done about it. But, Mr. President, I wish to call to the attention not only of the Council and the Traffic Commissioner but of his Honor the Mayor the dangerous condition that exists there on Seaver street, which is in one of the most crowded districts of Boston. Seaver street is a thoroughfare used by thousands and thousands of people every day, people traveling from the Cape into town, people coming from Providence, Rhode Island, into the City of Boston, and on that great thoroughfare, I regret to state, during the past few years we have had so many accidents and so many fatalities that it is a crying shame that the City of Boston should allow such conditions to continue. I appreciate the fact that the Traffic Commissioner probably can do nothing at all about it, due to the fact that he has no available funds. I also appreciate and have a great deal of sympathy with the predicament in which his Honor the Mayor finds himself so far as the financial conditions of the city are concerned. I realize the fact that he must economize and that he has

received a mandate from the people to cut down expenses and reduce the tax rate. I do say, however, notwithstanding the Mayor's desire to economize, a desire that we all appreciate and with which we sympathize, it should not and cannot be done at the expense of the safety and welfare of our people. A week ago, lying flat on my back with illness, I received numerous telephone calls and telegrams in regard to this situation. There had been another victim. A young lady of sixteen had been killed on that thoroughfare, at the corner of Seaver street and Humholdt avenue. Such things are not unusual in that vicinity. Time and time again such accidents have happened. Not so long ago three elderly ladies were knocked down and two of them killed. Time and again accidents have happened and have continued happening, much beyond the point that you would consider usual. So I now ask the Mayor of Boston to take this up with the Traffic Commissioner and to see that there are funds available so that this condition shall not exist any longer. I want to call the attention of the Council and also of the Traffic Commissioner to this telegram that I received:

"Councilor Charles I. Taylor,
Council Chamber.

Now, with another life sacrificed, when are we going to have traffic lights at the extremely dangerous intersection of Humholdt avenue and Seaver street? Spring is here, with its increasing automobile traffic, and the increased crossings of mothers and children to and from the park. At night for the adults it is just as bad. As your constituent, I solicit your cooperation towards this installation of traffic lights and the immediate stationing of a traffic officer at this point.

ELLIOTT A. NILES."

I have also received a letter from the Young Men's Hebrew Association of Boston, 108 Seaver street, corner of Humholdt avenue, Roxbury, Mass. That is their building. To that building thousands and thousands of youngsters come, day in and day out, and in visiting and leaving the building most of them have to cross that thoroughfare. They write as follows:

"March 23, 1938.

Charles I. Taylor, Esq.,

89 State Street, Boston, Mass.

Dear Mr. Taylor,—You have undoubtedly heard about the frightful accident that took place in front of the 'Y' last Sunday in which one of the 'Y' boys was killed by an automobile.

This accident has drawn the attention of the parents in the community and the 'Y' members to the dangers of pedestrian traffic on the unprotected and unguarded corner of Humholdt avenue and Seaver street, which is the corner at which the 'Y' stands.

We have 2,000 young people of all ages crossing that corner in going to and from the 'Y.' Last week alone five different accidents took place. The people of this community are approaching me through letters, telephone calls and petitions with regard to getting a traffic light put up on the corner so that the pedestrian traffic will be somewhat protected and automobile and trolley car traffic regulated. There is no question in my mind but that this corner is a trap in the full sense of the word.

Will you kindly inform me as to whether you can and intend to do anything about getting a traffic light set up on this corner immediately to avoid such accidents in the future? If you would like to see me personally to talk about this problem, call me or write me and I will be glad to make an appointment with you.

Very truly yours,

Y. M. H. A. OF BOSTON,
MARK TARAIL,
Executive Director."

That is the way conditions there affect this great institution, which houses so many children and so many people at a point where traffic is so great. But nothing has so far been done by the City of Boston to help them one iota. In the entire district of Ward 12, a community with over 50,000 people, I regret to state that there is only one solitary traffic light in the entire ward. I cannot understand why this entire subject has been neglected. Of course, we understand that economy is the watchword, and I, the same as other members of this body, appreciate the importance of economy. But economy should not be practiced at the expense of the lives

of our youngsters and of our older people. So I hope his Honor the Mayor will not regard this as the ordinary request for the ordinary traffic light, but will take it up with the Traffic Commissioner, in view of all the circumstances, and will see that a sufficient appropriation is made for that department so that such a light may be installed and installed at once.

The order was passed under suspension of the rule.

HYDE PARK GOLF COURSE FEE.

Coun. TAYLOR offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to establish a fee of not more than \$25 per year for use of the new Hyde Park golf course.

Coun. TAYLOR—Mr. President, I read recently in the newspapers that the Park Commissioner intends to make a charge of \$35 per year for use of the new Hyde Park golf course. It is hard for me to understand why the City of Boston, in entering upon a golf course which is supposed to be a popular project, run in the interests of all the people, should make such a charge. Thirty-five dollars is a large amount to charge any of our citizens seeking recreation during their spare time. That is a splendid course, put up at an expense of only \$40,000 to the City of Boston, and now they are going to take it away from the people who need it most. The average citizen, with his reduced revenue in these times, is unable to pay \$35 a year. That charge may be all right for wealthy elderly people who are looking for that type of thing. But there we have a golf course built simply for the purpose of giving recreation and health to our everyday citizens. Therefore, I don't think \$35 is a fair charge. The state course charges only \$20. I cannot see, particularly in times like these, why a charge of \$35 should be made. I think \$25 is an ample charge for the use of that golf course during the year.

The order was passed under suspension of the rule.

LEASE OF SCHOOLHOUSE TO KEARSARGE ASSOCIATION.

Coun. FITZGERALD offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to lease the Old Franklin Schoolhouse on Washington street, near Dover street, to the Kearsarge Association of Naval Veterans at a nominal rental of \$1 per year.

Passed under suspension of the rule.

WARD 20 IMPROVEMENTS.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 20 as public highways under the W. P. A. plan of construction:

Glenham street, Newfield street, East Newfield street, Casper street, Cedar street.

Passed under suspension of the rule.

ROSLINDALE MUNICIPAL BUILDING GYMNASIUM.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to keep the gymnasium in the Roslindale Municipal Building open until at least the middle of May instead of closing it on April first as is now proposed.

Coun. LYONS—Mr. President, I understood, through the Park Commissioners' office last week, that it was the intention to close the gymnasium starting the first of April. Last year they closed it the last week in April. As far as saving money is concerned, no money will be lost if it is left open until the middle of May. This year, especially due to the fact that there are physical examinations of men and women coming on, it has been felt that it would be well to keep it open until the middle of May so that these people can keep in shape to pass physical civil service examinations. Therefore I wish that the Mayor would

see the Park Commissioner in regard to keeping the gymnasium open until, certainly, the first or second week of May.

Coun. PETER A. MURRAY—Mr. President, I am heartily in favor of this order offered by Councilor Lyons. The playgrounds at the present time are in unfit condition for little children, and I think it would be a good idea to keep the gymnasium open.

The order was passed under suspension of the rule.

WADING POOL, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to consider the advisability of constructing a wading pool for the young children of the district on the grounds of the property formerly occupied by the School Department, and which now have been abandoned, at the corner of Washington and Stimson streets, Ward 20.

Coun. LYONS—Mr. President, the property concerned is at the corner of Washington and Stimson streets, in Ward 20. It was formerly occupied by the School Department, but was abandoned by them a year or two ago, and the land has been transferred to the Park Department. If something is not done about it, the original heirs will take the land and sell it at their own will. I would favor substituting a wading pool there for the children. They have a park across the street. I trust that the order will go through under suspension of the rule and that the action suggested in the order will be taken.

The order was passed under suspension of the rule.

WARD 11 IMPROVEMENTS.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Brinton street, Ward 11, as a public highway under the W. P. A. plan of construction.

Ordered, That the Board of Street Commissioners be requested through his Honor the Mayor, to lay out and accept Supple street, Ward 11, as a public highway under the W. P. A. plan of construction.

Severally passed under suspension of the rule.

SOLARIUM FOR WOMEN AT L STREET

Coun. ROSENBERG KERRIGAN, and GEORGE A. MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to construct as a W. P. A. project a solarium for women at L street.

Coun. ROSENBERG—Mr. President, as we all know, there is already a solarium for the men, enabling those who are unable to get away to Florida and other places to help preserve their health in this way. Solarium treatment is highly recommended by physicians and has been greatly enjoyed by the men who have received it at the small fee that has been charged. The women of greater Boston are now requesting the construction of a solarium for them at the L Street Bath House, in the women's division, and I believe the passage of this order will bring the matter to the attention of the Mayor and the Park Commissioner. I believe it is a matter that might well be submitted as a project to the Federal Government, enabling women who are unable to go to southern climes in the winter months to obtain the benefits of the treatments they can there receive.

The order was passed under suspension of the rule.

WARD 16 IMPROVEMENTS.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as public highways, under the W. P. A. plan of construction, the following streets in Ward 16:

Tilston street, Cheverus road.

Passed under suspension of the rule.

INFORMATION RE CHARLES H. TYLER
BEQUEST.

Coun. WILSON offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council the exact amount already received out of the million-dollar bequest made by the late Charles H. Tyler in 1931, in honor of Dr. George G. Sears, and also the disposition made of such funds, with the date in each case when payments were received.

Passed under suspension of the rule.

ACCEPTANCE OF GEORGE G. SEARS
BUST.

Coun. WILSON offered the following:

Ordered, That the Boston Art Commission be requested, through his Honor the Mayor, to permit the early acceptance by the City Hospital Trustees of completed bust of Dr. George G. Sears incident to the munificent legacy left by the late Charles H. Tyler.

Coun. WILSON—Mr. President, speaking very briefly, Mr. Tyler was one of the outstanding members of the bar in Boston, as I remember, sometime along in 1931. He greatly appreciated the wonderful work done by Dr. George G. Sears and provided in the terms of his will the munificent sum of one million dollars to be given to the City of Boston to be used at the Boston City Hospital for the erection and maintenance of a building in honor of Doctor Sears and to bear his name. As I understand it, in about 1932 the first half-million was paid over in the form of municipal bonds. Fortunately for the bequest, those were not City of Boston bonds. Thereafter, other sums were paid over until at the present time I believe \$902,000 out of the million has been turned over to the city. By reason of the fact that costs are higher now, the erection of a surgical research building, which was planned, has been postponed. The money has been held and so mounted up so that eventually the intent of the donor is going to be carried out. But the thing in which I am primarily interested today is that, shortly following the death of Mr. Tyler, the trustees of the Boston City Hospital, as I understand, ordered a bust of Doctor Sears to be made. They apparently overlooked the very important fact that before the City of Boston can accept any art gifts, such gifts must pass the inspection of the Art Commission. I don't want to seem critical of that commission because the object of its creation was to prevent the city spending any great sums of money for so-called art objects which were not art. I do suggest, however, that the particular bust in issue here is not such a thing as was aimed at by the ordinance creating the Art Department. The bust of Doctor Sears has now been completed for a matter of two years, and the artist did a good enough piece of work to greatly please Doctor Sears and members of his family, as well as the trustees of the hospital and friends of Doctor Sears. I understand that they are all very much pleased with the result. This is one of those unusual cases where the subject of the bust and all his family and friends, as well as the trustees of the hospital, are perfectly satisfied with it, although the Art Commission has not yet accepted it. So this is a case where those who are particularly interested—Doctor Sears, his family and friends, and the Hospital Trustees—are very much pleased with the work and would like to have it accepted. It does seem, therefore, under the circumstances, as though the Art Commission should permit the City of Boston to accept the bust of Doctor Sears, which those particularly interested consider an excellent one. For that reason I introduce this order at this time.

The order was passed under suspension of the rule.

PARKING SPACE, DURANT, INC.,
PROPERTY.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to advise the City Council with reference to outdoor parking space on the property of Durant, Inc., on Huntington avenue:

1. Date of application.
2. Name of applicant.
3. Amount of license fee charged.
4. Number of cars to be permitted in such space under such license.

Coun. WILSON—Mr. President, I realize that when anyone in this city mentions "Durant," it must be done, more or less, in a whisper, and until I received a communication I have here I would have preferred not to dwell too long on the subject. But I have received a letter in regard to this situation, and have been given the impression that an application for such an outdoor parking license has been filed, presumably to scalp perhaps a thousand dollars, more or less, during the ten days' opera season at the Opera House. I am at this time particularly interested, however, to know what the license fee was in connection with this piece of land that has figured so unpleasantly over such a long period of time in local gossip, and to find out whether unfortunate investors are to be beneficiaries of this windfall, or whether the application has been made with something else in view.

The order was passed under suspension of the rule.

LOCAL CIVIL SERVICE COMMISSION FOR
BOSTON.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of introducing such legislation as will provide for a local civil service commission to establish Boston's civil service lists.

Coun. WILSON—Mr. President, I would not at this time ask the Council to pass a final, flat curbstone judgment, on the subject matter of this request, but this order merely asks the Mayor of Boston to consider the advisability of taking such a step. I am one of those who have over a period of years watched the standing army on the clerical list, more especially young men and young women in the city, who have taken examinations for public clerical positions, and they remain on the list month after month while positions have been filled by temporary appointments. I have no intention of picking out any individual instances, except, for example, in such a department as the Finance Commission a year ago this month, two men were dropped, as I remember it, and two so-called temporary appointments were made, the word "temporary" being in quotation marks, as investigators. No examination was held month after month, although I understand that one was held two or three weeks ago and, if I am correctly informed, one of the "temporary" appointments was not even a voter in the City of Boston. It becomes a grave question when such appointments are made that those appointed are not even citizens or voters in Boston. So in this order I am merely asking the Mayor to consider the advisability of introducing such legislation as will provide for a local civil service commission to establish Boston's civil service lists. If we establish such lists here, they may be available perhaps in a happy day, in more prosperous times, when it comes to filling existing vacancies.

Coun. GEORGE A. MURRAY—Mr. President, I don't think this Council should be asked to be recorded on a measure of this nature. We have in our state departments a civil service commission, and I feel that that commission over a long period of time has done very fine work. At the present time in the State House an investigation is being started by some of the Republicans of the state who feel that that commission is not doing a proper job. But certainly this Council should not be recorded on a matter of this nature at this time. We should at least wait until that investigation is over and then if things are not as we feel they should be, take the matter up. So I trust that this order will be sent to the Committee of Rules.

Coun. NORTON—Mr. President, this is not properly a civil service matter at all. It is simply Democratic and Republican politics, and it is a slap at the state government. What is wrong with the state Civil Service Commission? Of course, all applicants for positions under the civil service are subject to examination, and they sometimes have to wait for months and months, as the councilor says, after they have taken the examination, before there is an opportunity for them to fill a position. There is an investigation

now on, and this body should not enter into it. I am in entire agreement with the councilor from South Boston in that respect.

Coun. WILSON—Mr. President, I gather that this is a very touchy subject, and with that thought in mind I did not propose to have an order passed which would require the Mayor of the City of Boston to do anything. The order offered simply asks the Mayor to consider the advisability of introducing legislation that will provide for a local civil service commission. My understanding is that a civil service department in a municipality is not such a strange or unheard of thing. My attack, if it is an attack, is not on the state Civil Service Commission. I feel that the breakdown of the Civil Service Commission in the State House is the result of hamstringing the commission, and I did not either directly or inferentially attempt to pass blame on the appointees to the commission. The blame, if there is blame, comes from higher up, and I am one of those who, from reading the daily papers, is under the impression that a vast majority of the appointments in many departments today have most certainly been in direct violation of the true spirit of the civil service law.

Coun. FITZGERALD—Mr. President, I am sorry that I cannot entirely agree with the councilors from Hyde Park and South Boston (Coun. Norton and George A. Murray) in regard to the importance of a local civil service commission for the City of Boston. I believe that it may be desirable to have such a commission here and, as a matter of fact, as I understand it, there are such local civil service commissions in the cities of New York, Chicago, Philadelphia and most of the large cities of the country, the commissioners being appointed by the mayors of the city. I would remind the members of the Council that just one year ago 151 people were dismissed from their positions here in the most cold-blooded manner that was ever recorded in the history of this city. They were holding positions where there was no list available at the State House at the time, absolutely no list. They were working for the Welfare Department and they were summarily thrown out from their positions, through no fault of the Civil Service Commission at that time, as the commission was acting under orders from other quarters. Boston has long suffered from state rule. For years in the past the city had its local police commission, but finally they cracked down upon us and we were denied a police commission of our own. The Republican party of the state forced upon Boston a state police commission, as it has forced upon us other state commissions, something against which the Democratic party has fought year in and year out with no success. We have demanded home rule for our city, we would be better off under home rule. But our efforts thus far have been unavailing. We can run our city better without outside interference. There is no doubt about that. But, as the councilor from South Boston has said (Coun. George A. Murray), the matter is now under investigation at the State House and for the time being we should keep hands off. I do not, however, oppose the order offered by the councilor from Dorchester (Coun. Wilson). I believe we should have self-government in a matter of this sort in the City of Boston. After all, as far as the civil service is concerned, we must recognize the fact that it has seen its best days. The time when civil service was put into effect, in the past, was a time when everyone did not have the education they now have, through colleges and advanced schools, and certain educational requirements were imposed in applying for state or city positions, so as to make sure that the applicants had at least a certain degree of education. But to subject applicants today to the requirements that were considered important at that time is absolutely ridiculous, because the public generally is now educated to a much higher degree. I have never believed at heart in civil service, except for the fact that in some instances it hampered corrupt politicians. As a matter of fact, today, however, young men and women get on the list, and after the smoke of battle has cleared away we find them remaining on the list for years before they are reached. That has been a source of a great deal of adverse comment and discussion. We know that for some years department heads had to receive the approval of the Civil Service Commission until the law was repealed and the Mayor was given the absolute right to appoint department heads. We know that a good many men were held by the throat and had to pay through the nose before they

were confirmed; and we remember when Governor Draper attempted to punish the Democrats in Boston. We have suffered greatly in this city, and many have been thrown ruthlessly out of their positions because there were no lists. We know what happened to many in the Welfare Department, who were getting only a few dollars a week. We know how many have been hamstrung in this city, and nothing can be done about it. We find men who have been twenty-five, twenty-seven or twenty-eight years in the service of the city denied the right of promotion. I would suggest, however, that the matter be referred, if Councilor Murray will agree, to the Committee on Legislative Matters of the Council.

Coun. NORTON—Mr. President, the councilor from Ward 3 (Coun. Fitzgerald) says that there are many other large cities in this country that have civil service commissions. I am informed that very few have civil service commissions. Furthermore, while I am for home rule in Boston let us not get this question here mixed up with the home rule question. I am fully aware of what the state Republican machine has done to the City of Boston, but I don't want to get that angle of home rule mixed up with this matter at the present time. We all know that there is an investigation under way at the State House to examine into certain conditions that have arisen. The thing has been started, and it seems to be an issue between Republicanism and Democracy. I certainly would not like to have it go out on the radio tonight that we agree that something is wrong with civil service at the State House and that we favor the investigation. I think we should not interfere in the matter at this time.

Coun. SHATTUCK—Mr. President, I am interested in the remarks of the gentleman from Ward 3 (Coun. Fitzgerald) with reference to home rule. I was a pretty good home ruler at the State House, and I am a pretty good home ruler now; but I see here a number of people who will talk home rule but who, when the opportunity is afforded, do not vote that way. It seems apparent that they are just talking for home rule and voting the other way. This does give an opportunity for home rule. I am standing for home rule, and I agree with the gentleman from Ward 3 that this is an opportunity to get home rule.

The order was referred to the Committee on Rules.

TAXING OF BOSTON REAL ESTATE.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Board of Assessors, in its valuation of improved Boston real estate for tax purposes, to give a weight of at least two-thirds income received by the owner during recent years, as against all other factors, such as original cost and reproduction cost minus depreciation.

Coun. WILSON—Mr. President, very frankly, that order is inspired by a very excellent article that I read in the Boston papers yesterday, reporting for the benefit of the Boston public the result of six years' study of the tax structures of the forty-eight states by the National Realtor Association. The order I have presented does not go as far as that association attempts to go, but I was interested particularly in that part of their report which points out that, referring to real estate:

"A system which levies three-fifths of the total costs of local, state and national governments against a commodity which produces only one-fifth of the total national income is manifestly illogical, unfair and dangerous. Yet that is the position of real estate today."

We all realize that, as now constituted, the Board of Assessors of the City of Boston in their attempt to make a fair assessment on any piece of property in Boston are forced to consider not only the net income produced by that piece of property in the next preceding year, but also the original cost years ago, and also the replacement value of the building as it stands, even though it goes over a period of years. I personally do not believe that the holder of a piece of real property should in effect be penalized simply because of the fact that the property stands in his name. I have thought and still think that the state practice of taxing 6 per cent on a person's income from stocks and other securities is a far fairer method of determining value than that part of the system which taxes a man on real estate which

may have cost \$100,000 fifty years ago, but from which for twenty years a very small return has been received. I personally believe, therefore, that one possible way of easing the burden would be for the Board of Assessors of the City of Boston, in their assessment of said property, instead of giving so much weight to original cost and reproduction cost minus depreciation, to consider what the income has been in recent years.

The order was passed under suspension of the rule.

INFORMATION RE OLD HARBOR VILLAGE.

Coun. WILSON offered the following:

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to ascertain and advise the City Council.

1. The total purchase price of the thirty acres, more or less, on which Old Harbor Village has been constructed.

2. The total construction cost of Old Harbor Village other than the original cost of the location.

3. The total cost, to date, of property purchased by the Government in South Boston as the original site for a housing project, but not now included within the limits of Old Harbor Village.

4. The total cost of sewer work done by the city incident to the construction of Old Harbor Village.

5. The official schedule of rentals to be charged for the various apartments as finally determined by the Housing Authority.

6. The final official schedule of both maximum and minimum earnings permitted with reference to eligible applicants for apartments at Old Harbor Village, giving such maximum and minimum earning figures for prospective tenants in each type and size of apartment.

7. Whether the Boston Housing Authority contemplates making any request of the Welfare Department for increased allowances to Mothers' Aid or other welfare cases if same are to be considered for, or accepted as, tenants at Old Harbor Village.

Coun. GEORGE A. MURRAY—Mr. President, I move that that order be referred to the special Committee on Rules of the Council to look into.

Coun. WILSON—Mr. President, I think that is very likely an excellent suggestion. I would say, however, that the recent information concerning the threatened suits in the South Boston area, as appeared in the newspapers of last week, will have to be now considered in connection with the merits and demerits of the entire housing question, and that it is important for us to get such information as I am asking in this order, if we are to have an intelligent idea of the whole situation. Some of the members of the Council may have seen the report under date of March 23, in regard to the housing situation, sent out with the compliments of the State Board of Housing. I was interested to read how Mr. Straus had earmarked \$3,500,000 for a housing project in the city of Birmingham, Alabama, and \$1,400,000 in the equally delightful city of Mobile, Alabama. I can understand, of course, the continued government generosity toward these Alabama cities at the hands of a government which during the past year has paid 94 per cent of all the welfare costs of the cities of Birmingham and Mobile. Of course, the City of Boston has received far less than half the money necessary for welfare purposes. I was also interested in the report made by the Police Department during my absence last week on the question of vacant flats in Boston, showing that at the present time there are over 13,000 vacant flats in this city which I had been given to understand was fairly overpopulated. So when the day comes when Old Harbor Village is opened, I suppose we will have at least 1,016 more vacancies in existing flats. Therefore, I want the facts to appear of record. I agree with the councilor from South Boston (Coun. George A. Murray) that this matter may well go to the Committee on Rules, hoping that an early hearing will be held, with far more promptness than has been indicated in the past, and that steps will be at once taken looking to obtaining the information requested in this order; because, while it is none of our business to know what John Smith's new house cost him or what Bill Jones' new garage cost him, I am still one of those old fashioned enough to believe that the taxpayers of the City

of Boston and of the Commonwealth of Massachusetts sometime at an early date are entitled to have the actual figures setting forth the original cost of that dog track, the total construction cost of Old Harbor Village other than the original cost of the location, and the total cost to date of the property purchased by the government in South Boston as the original site for a housing project, but not now included within the limits of Old Harbor Village, as well as the other costs and the other information for which I have asked in this order. Also, in arriving at these figures of cost and the other information for which I have asked, we will have to bear in mind the damage suits by many tenants forced to move out by the United States Marshal. I believe, also, at some time, at an early date, whether obtained secretly and confidentially or otherwise, the taxpayers of the City of Boston are entitled to know, the prospective tenants at Old Harbor Village who may not be on the inside are entitled to know and the property owners throughout the City of Boston who may be in direct competition with that project are entitled to know what the final low-down and the final rentals are, what the maximum and minimum earning figures for prospective tenants in each type and size of apartment in Harbor Village are, and so on, so that we may have the complete picture. I trust that those figures are no longer secret. I realize that the manager is a busy man, but I was promised those figures by the manager of Old Harbor Village three or four days after the Council visited the property and I have not yet seen them.

Coun. NORTON—Mr. President, I think we all realize that the prize A No. 1 question-asker of the City of Boston is the councilor from Ward 17. He can ask more questions, that will take a longer time to answer, than any individual of whom I know (laughter). That is a compliment, and I am sure that the councilor does not object to that characterization. Then, when he finally does get the minute details that he asks for, we invariably get from him an order asking details about other phases of the subject. Now, gentlemen, this project is the embodiment of a worthwhile idea. I am sorry that I have to spend so much time attempting to convert the able councilor from Ward 17 to something that the world has decided to be a good thing.

Coun. WILSON—Mr. President, will the gentleman yield for a question?

Coun. NORTON—Yes, Mr. Chairman.

Coun. WILSON—If you were the general manager over there, do you think it would take you all the time that he has taken to furnish to us information which he undoubtedly has at hand?

Coun. NORTON—Well, I have not examined all the questions upon which the councilor wishes information but, judging from the questions, which the councilor is in the habit of asking of various other department heads, involving a long list of interrogatories, and judging the present by the past so far as the councilor is concerned, I have a lot of sympathy with the attempt of anybody to try to answer such intricate and involved questions as the councilor can frame. As I have said, I am sorry that it has taken so much time to convert the gentleman in favor of these public housing projects. In time something will undoubtedly be done for those in the lower income groups. But this is a start and it represents a very important undertaking, a serious attempt to deal, in part at least, with a problem that is facing the people of this country. A crisis is being dealt with and something must be done about it. Why shouldn't we give this undertaking a chance, let it go on for six months or a year, and then, if it seems to be necessary, come in and criticize it? The importance of this slum clearance question is recognized all over the country. It is recognized by Mayor LaGuardia in the city of New York, it is recognized by the mayors of the other large cities of the country. We here now in Boston have an opportunity to do something along the line of slum clearance. Why should we throw stones at it and try to destroy it? Let us first see how it goes. At a time when, according to our Boston records and the reports of our social agencies, hundreds of babies are dying every year for lack of sun and air, let us at least regard with a favorable eye an honest attempt being made to improve the living conditions of our people. No city in America can afford to disregard sub-standard areas, and I hope the time will come when we can convert the councilor from Ward 17 to our side of the proposition. This is not going to injure houses in other parts of

Boston. Nobody who is at all properly accommodated at the present time is going to move from where he is. We know that no family is going to move from the Back Bay or from a nice apartment in Dorchester over to Old Harbor Village. No family is going to move out of any home in Boston that is fit for human habitation and go to this South Boston project, and the gentleman's attack from that point of view is not fair. Now, just one minute more. I would like to have the members of this body go across the bridge over the Charles river to Cambridge and see what is being done over there. One fifth of the tenants in the Cambridge project are old-age pensioners and mothers' aid cases. You say, why not throw this Old Harbor Village project open to welfare? If that were to be done here today, no city could afford to accept the governmental project. Why? Because it would take \$300,000 a year, at least, in South Boston to pay the running expenses and upkeep, which would throw that burden on the city and there would be strenuous objection, and rightly so. I visited the Cambridge project. There is a young man there whose mother and father died. This young man has been getting \$22 a week in a factory. He had a thirteen-year old crippled sister and a fifteen-year old brother. He was the mother and father of the family. He had a peculiar skin disease which required treatment each day with hot water, and there was no hot water where he was, and the toilet was used by ten other families. Now, this youngster, mother and father of that family, for the first time in his life has a tenement which is warmed and where he can get hot water to treat his skin disease, and on two evenings in the week he visits local skin clinics in Boston. Who here would deny that young man the comfort of that hot water? There is a woman who works in Thompson's Spa, on Summer street, who is looking forward to getting a tenement over there. Her husband died fourteen years ago. She has a young son, and she is looking forward to going into this South Boston housing project. She has worked for years for Thompson's Spa and is a good mother. Is there anyone here who wants to deny that woman and her child the privilege of moving into a decent home for the first time? And so, I repeat, why doesn't the councilor from Ward 17 wait until a year from now, as we are all doing, to see how this thing comes out? A year from today I assure the councilor from Ward 17 that if it is not a success he can go ahead and I will say "amen." But in the meantime I say, "God bless the South Boston housing project."

Coun. WILSON—Mr. President, I would like to ask the gentleman just one question. If the story given us by the Housing Authority is correct, that after they have been over 4,000 cases they will pick out the 1,016 most needy ones, and have not yet completed that work, how is it that this one family that the councilor speaks of, of this woman from Thompson's Spa, is already assigned?

Coun. NORTON—The woman in this particular case has not been assigned, but she meets with all the requirements, as I understand, of the investigating authorities, and will probably qualify. But it is not definite. Nothing official has been done as yet, because people connected with the Housing Authority do not know themselves where they stand. I understand that it will be two months before they can say "Yes" or "No." This particular woman has been told, however, I understand, by the investigating authorities, that she is qualified. That does not mean, of course, that she will finally be assigned to a tenement. They first have to complete their investigation.

Coun. TAYLOR—Mr. President, I would like to say one word. There are one or two things that I would like to have cleared up so far as the councilor from Ward 17 (Coun. Wilson) is concerned. I have listened day in and day out to the beautiful language he uses as far as the South Boston housing proposition is concerned. Time and again he has brought before the Council some sort of order which seems to be aimed at discouraging this project. I do know that this housing project, which has come to this city, would be very gratefully accepted by many other municipalities in our country, although the councilor from Ward 17 is afraid to have it here. Perhaps a tenant is going from his house or some house in that particular section. But I want him to know, as far as the general housing situation is concerned, that this project does not cost the City of Boston one red cent because, if he has acquainted himself with the Wagner-Steagall Act—he is a

lawyer and I know he can interpret it correctly—he will find out by reading the act that it cannot cost the City of Boston one red cent, because the project is subsidized by the Federal Government Housing Authority, situated in Washington, as all the various housing projects in the country are subsidized. Taking the set-up of the Housing Authority in Washington, as stated in the Wagner-Steagall Act, the local cost will be 20 per cent, and the rest will be subsidized by the Government. This 20 per cent is not paid in cash by the City of Boston but in lieu of taxes on land occupied by the public housing agency. If you look into the figures of the housing project in South Boston, you will find that there is a \$250,000 loss of taxes, and that it will be necessary for the public housing agency in South Boston to lose \$800,000 during a period of years, because if the \$250,000 means 20 per cent, 100 per cent would be over a million dollars, and there will be a balance of \$750,000 to \$800,000. Now, where this housing agency is going to put in \$750,000 in South Boston, I challenge the councilor from Dorchester to show me in figures, in black and white, where the city is going to lose out in this matter. Why should we discourage the United States from coming into the City of Boston or other cities through such a housing agency, which is going to mean so much to the people? As Councilor Norton so ably said, not only have many of our people suffered from lack of hospitalization, but they have never received any of the conveniences of life, and this is a step in the direction of furnishing them with such conveniences. Not only that, but the existence of sub-standard areas breeds crime, as we all know, and, looking at it merely from the financial side alone, causes the expenditure of millions of dollars for protection against crime and for dealing with those who commit it. We know that the sub-standard sections of the city are the places where, largely, crime is committed. I do not think we should do anything which will turn away from the City of Boston what we so sorely need. Let us do what we can so that Boston may receive the share of the housing agency expenditure to which it is entitled. The people of Boston are entitled to it, and there is no reason why the City Council should discourage it.

The order was referred to the Committee on Rules.

PARTICIPATION IN FEDERAL HOUSING PROJECTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, in view of the present financial condition of the city, be respectfully requested to consider the inadvisability of city participation in such further so-called Federal housing projects as may require the expenditure of municipal funds, either in the initial cost or the maintenance and operation of such projects, or incident to which the City of Boston must waive real estate taxes.

Referred to the Committee on Rules.

TRAFFIC SIGNALS, WARDS 10 AND 19.

Coun. CAREY and PETER A. MURRAY offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the junction of Perkins street and Jamaicaaway, Wards 10 and 19.

Passed under suspension of the rule.

ACCEPTANCE OF LA ROSE PLACE, WARD 21.

Coun. AGNEW offered the following:

Ordered, That his Honor the Mayor request the Public Works Commissioner and Street Commissioner to lay out and accept and surface La Rose place, Ward 21, Brighton, as a public way.

Passed under suspension of the rule.

Adjourned, on motion of Coun. WILSON, at 5.22 p. m., to meet on Monday, April 4, 1938, at 2 p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, April 4, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN presiding. Absent, Coun. Dowd and Norton.

JURORS DRAWN.

Jurors were drawn, in the manner prescribed by law, Coun. GEORGE A. MURRAY presiding at the box in the absence of the Mayor, as follows:

Eighty-two traverse jurors, Superior Criminal Court, to appear May 2, 1938:

Benjamin A. Bailey, Ward 1; Charles McNamee, Ward 1; Ivan G. Pelham, Ward 1; William A. Walsh, Ward 1; William P. Walsh, Ward 1; Frank J. Jackson, Ward 2; John W. Harrington, Ward 2; D. Joseph Lordan, Ward 2; Wilfred C. Noyes, Ward 2; John P. Woods, Ward 2; Thomas Connolly, Ward 3; Howard T. Flood, Ward 3; Joseph J. Murphy, Ward 3; John J. Gosling, Ward 4; Frank L. Hatch, Ward 4; James Shorrock, Ward 4; Robert H. Vincent, Ward 4; Allen S. Carpenter, Ward 5; Henry V. Carleton, Ward 6; Walter P. Mulrey, Ward 6; Frank J. Burroughs, Ward 7; William F. Childs, Ward 7; Frank E. McLeod, Ward 7; Alfred William Needham, Ward 7; Charles D. Anderson, Ward 8; Norman Munroe, Ward 8; George Brown, Ward 9; Edward T. Fitzgerald, Ward 9; William F. Reardon, Ward 9; Reginald Andrews, Ward 10; James M. Brothers, Ward 10; Harry MacKenzie, Ward 10; Robert A. Stocks, Ward 10; George F. Turner, Ward 10; Charles F. Gilede, Ward 11; John J. Keegan, Ward 11; Guilford J. Martin, Ward 11; James F. Curley, Ward 13; Henry A. Fletcher, Ward 13; Thomas F. Hurley, Ward 13; John J. Ross, Ward 13; Walter E. Shaughnessy, Ward 13; Mitchell H. Badgers, Ward 14; Samuel Blender, Ward 14; Arthur Falkson, Ward 14; Isidore Fishman, Ward 14; Saul Katz, Ward 14; Francis E. Carty, Ward 15; John D. Blondin, Ward 16; Percy J. Clarke, Ward 16; Per Arthur Anderson, Ward 17; Harry C. Carlson, Ward 17; Cleveland B. Grove, Ward 17; John F. Hoar, Ward 17; James McSharry, Ward 17; George A. Haggman, Ward 18; George M. MacDonald, Ward 18; Kenneth A. MacLeod, Ward 18; James McCann, Ward 18; William H. Moore, Ward 18; John J. Neelon, Ward 18; John J. O'Donnell, Ward 18; Otto G. Olsson, Ward 19; Edward Y. Perry, Ward 19; Erich C. Till, Ward 19; Harold A. Garahedian, Ward 20; Frederick A. Harvey, Ward 20; Homer W. Holden, Ward 20; Charles Lundberg, Ward 20; Walter C. Mahan, Ward 20; Eugene McCarthy, Ward 20; Robert D. McKillop, Ward 20; Charles H. Monaghan, Ward 20; William H. Young, Ward 20; Charles F. Brett, Ward 21; Thomas L. Brown, Ward 21; Louis Dunn, Ward 21; Chester William Kirk, Ward 21; James J. Long, Ward 21; Daniel E. Burns, Ward 22; William J. Connell, Ward 22; Raymond E. Shaw, Ward 22.

Eighty-one traverse jurors, Superior Civil Court, to appear May 2, 1938:

Joseph Ferrante, Ward 1; Joseph J. Forgione, Ward 1; John McInnis, Ward 1; Charles Doherty, Ward 2; Henry W. Austin, Jr., Ward 3; James H. Barry, Ward 3; Joseph M. David, Ward 3; Frank C. Thurston, Ward 3; George T. Ashby, Ward 4; William T. Hill, Ward 4; William A. Taylor, Ward 4; Samuel W. Chase, Ward 5; Channing Frothingham, Jr., Ward 5; John J. Shea, Ward 5; Peter W. Cady, Ward 6; Alfred L. Lodge, Ward 6; James McNicholas, Ward 6; John Zaenkouski, Ward 6; Herbert A. Kinney, Ward 7; Harry Mallery, Ward 7; Robert Brown, Ward 8; John H. Daly, Ward 8; William J. Mahoney, Ward 8; Samuel Leon McCoy, Ward 8; Andrew J. Waggett, Ward 8; Walter J. Conlin, Ward 9; William F. Stark, Ward 9; Henrich L. Koepfer, Ward 10; Laurance R. Leonard, Ward 10; John P. McFarland, Ward 10; James A. Morgan, Ward 10; George L. Phillips, Ward 10; Kenneth J. Ryan, Ward 10; John J. Tohin, Ward 10; John L. Fallou, Ward 11; George T. Farmer, Ward 11; Joseph E. Peterson, Ward 11;

Albert E. Carmichael, Ward 12; Barnet Nelson, Ward 12; Walter H. Scott, Ward 12; Samuel Landy, Ward 13; Cornelius J. Walsh, Ward 13; James DeCoursey, Ward 14; George J. Gibbs, Ward 14; Louis Krasur, Ward 14; Samuel A. Levine, Ward 14; Nathan Perry, Ward 14; George B. Scott, Ward 14; Leo P. Lally, Ward 15; John Crosby, Ward 16; Michael J. Fitzgibbon, Ward 16; Walter E. Wheeler, Ward 16; Herbert W. Campbell, Ward 17; Joseph E. Walker, Ward 17; William E. Wilson, Ward 17; Frederick Yaffi, Ward 17; Francis M. Crehan, Ward 18; John J. McCarthy, Ward 18; Patrick F. Russo, Ward 18; Walter Spry, Ward 18; Roland S. Warde, Jr., Ward 18; Raymond E. Bligh, Ward 19; John P. Caddigan, Ward 19; Lewis W. DesRoche, Ward 19; Robert Fletcher, Ward 19; Oshourne M. Hadley, Ward 19; Willis H. Hazard, Ward 19; Edgar F. McKenna, Ward 19; Joseph G. Anderson, Ward 20; James A. Long, Ward 20; Thomas J. McGrath, Ward 20; Charles H. Mitchell, Ward 20; Roy S. Pattison, Ward 20; Louis R. Adelman, Ward 21; Brewster D. Doggett, Ward 21; William A. Farrell, Ward 21; John M. Geary, Ward 21; James E. McCarthy, Ward 21; Edward W. F. Timmins, Ward 21; Cornelius Driscoll, Ward 22; Thomas F. Hennessy, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.: Weighers of Coal and Coke: Merton D. Streeter, 86 Kenmere road, Medford; Charles Parrott, 12 Denvir street, Dorchester; Peter Melver, 17 Peacevale road, Dorchester; Arthur Kerrigan, 212 Fellsway West, Medford.

Weighter of Beef: Martin J. Rush, 197 Wachusett street, Jamaica Plain.

Weighter of Coal: Reginald Johnson, 20 Bowdoin street, Winthrop, Mass.

Severally laid over a week under the law.

INFORMATION RE OLD HARBOR VILLAGE.

The following were received:

City of Boston,
Office of the Mayor, March 28, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. John A. Breen, chairman of the Boston Housing Authority together with a copy of a vote made at a regular meeting of the Boston Housing Authority held on March 10, 1938, relative to your order of February 28, 1938, concerning minimum rentals in Old Harbor Village and preference to recipients of Mothers' Aid and Old Age Assistance.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Housing Authority,
March 14, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I am inclosing herewith a certified copy of the vote contained in the minutes of the meeting of the Boston Housing Authority on March 10, 1938.

This is in response to your letter of March 7, 1938, transmitting the City Council order of February 28, relative to Old Harbor Village.

Very truly yours,
JOHN A. BREEN, Chairman.

I hereby certify that at a regular meeting of the Boston Housing Authority held on March 10, 1938, the following vote was passed:

Voted, That the chairman be, and he hereby is, authorized and directed to report to the City Council, through his Honor the Mayor, that minimum rentals in the Old Harbor Village Project are fixed by the terms of the Memorandum of Understanding between the United States Housing Authority and the Boston Housing Authority, so as to assure occupancy by families of low income, and, further, to report to the City Council that the Authority will give consideration to the suggestion of the City Council that preference be given to Boston residents who are recipients of Mothers' Aid and Old Age Assistance.

LEWIS H. WEINSTEIN,
Temporary Clrck.

City of Boston,
Office of the Mayor, March 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. John A. Breen, chairman, Boston Housing Authority, relative to your order of February 28, concerning cost of and rentals for apartments at Old Harbor Village.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Housing Authority,
March 14, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Pursuant to your communication of February 29, I have been instructed by the Boston Housing Authority to respond to the request of the Boston City Council as follows:

1. The Authority is aware of no cost to the city for land and buildings at Old Harbor Village and respectfully suggests that the City Auditor be requested to supply information regarding any costs to the city as a result of a development of Old Harbor Village.
2. 3-room unit; 413 in project; average gross rent, \$22.70.
3½-room unit; 4 in project; average gross rent, \$24.70.
4-room unit, 442 in project; average gross rent, \$26.70.
4½-room unit; 23 in project; average gross rent, 28.70.
5-room unit, 134 in project; average gross rent, \$30.70.
3. See schedule on answer No. 2.
4. No minimum income has been fixed below which applicants for apartments will be considered ineligible. The Authority is charged with the responsibility of leasing to individuals of the lowest income who are able to pay the rentals. The maximum income for families of three persons would be \$1,506 annually and the maximum of a family of seven persons, \$2,290. Families whose income exceeds this amount are automatically ineligible, and persons receiving less than this amount will be considered for occupancy, but with the thought always in mind that the persons of the very lowest income consistent with rent-paying capacity, shall be selected.
5. The service charge to be collected by the City of Boston is \$15,000 and does not include water furnished to the project.
6. We know of no survey which contains the information requested in this question.
7. With the exception of persons receiving Old Age Assistance or Mothers' Aid, welfare recipients will not be viewed as eligible for occupancy.

Very truly yours,
JOHN A. BREEN, Chairman.

—
City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. John A. Breen, chairman of the Boston Housing Authority, together with a copy of a vote made at a regular meeting of the Boston Housing Authority held on March 3, 1938, relative to your order of February 14, 1938, concerning the making available, to the public, the minutes of meetings of the Boston Housing Authority.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Housing Authority,
March 14, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I am transmitting herewith, in reply to your letter of February 25, regarding the City Council order of February 14, a copy of the vote contained in the minutes of the meeting of the Authority on March 3, 1938.

Very truly yours,
JOHN A. BREEN, Chairman.

I hereby certify that at a regular meeting of the Boston Housing Authority duly called and held in Boston on Thursday, March 3, 1938, the following vote was passed:

Voted, That the chairman be, and he hereby is, authorized and directed to inform the City Council that it is the sense of the Boston Housing Authority that minutes of its meetings should not be made available to the public, inasmuch as such minutes might contain data of a confidential nature and that such disclosure might hamper and impede the work of the Authority in the performance of its duties, but that the Boston Housing Authority is willing and eager to cooperate with the City Council to the fullest extent possible.

LEWIS H. WEINSTEIN,
Temporary Clerk of the
Boston Housing Authority.

Severally placed on file.

REPAIRS BY GOVERNMENT NEAR GEORGE STREET.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Col. Thomas F. Sullivan, Administrative Assistant of the Works Progress Administration, relative to your order of March 14, 1938, concerning the furnishing of information relative to the right of the Government to make repairs in the vicinity of George street, Ward 18, in the manner now being pursued.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Area No. 1,
Works Progress Administration,
Boston, April 1, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order from the City Council as follows: That the W. P. A. Administrator of Boston, through his Honor the Mayor, furnish the Council with information relative to the right of the Government to make repairs in the vicinity of George street, Ward 18, in the manner now being pursued, which you referred to me on March 22.

The Sewer Division of the Public Works Department applied for a Works Progress Project to construct a sewer in Birchcroft road and private land between Birchcroft road and Pinewood street, Ward 18. The customary easements for sewerage purposes is shown on Plan No. 1189, dated January 6, 1938, signed by W. J. Sullivan, Chief Engineer, Street Laying-Out Department.

This sewer is being built in accordance with plans prepared by the sponsor, the Sewer Division of the Public Works Department.

Under the regulations of the Works Progress Administration the sponsor secures all rights and easements necessary for a project of this kind before work is commenced.

Very truly yours,
T. F. SULLIVAN,
Administrative Assistant.

Placed on file.

ASSESSMENT OF PROPERTIES TAKEN BY HOME OWNERS LOAN COR- PORATION.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Edward T. Kelly, chairman of the Assessing Department, relative to your order of January 24, 1938, concerning real estate taxes being assessed against properties in the City of Boston which have been taken over after default in payment of amounts due on Home Owners Loan mortgages.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Assessing Department, March 30, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council relative to the assessment of properties which have been taken over by the Home Owners Loan Corporation, after default in mortgage payments, I beg to advise you that if such properties were taken over prior to January 1, they are assessed to the Home Owners Loan Corporation of Washington, D. C., and they are carried on the taxable roll.

Very truly yours,
EDWARD T. KELLY, Chairman.

Placed on file.

DEMOLITION OF DILAPIDATED BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, March 29, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Leo F. Power, Superintendent of Public Buildings, relative to your order of February 14, 1938, concerning the demolishing of all dilapidated or vacant buildings on parcels of real estate now owned by the city, following tax title foreclosure, such demolition to be recommended as a suitable W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department,
March 26, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to the attached order of the City Council regarding the demolition of dilapidated or vacant buildings now owned by the city, following tax title foreclosure, I have to inform you that it has been and still is the policy of the department to order the demolition of all sub-standard buildings. We have cooperated with the Building Department in said demolitions under both W. P. A. auspices and with private building wreckers. Further W. P. A. projects are now awaiting Federal approval.

Very truly yours,
LEO F. POWER,
Superintendent of Public Buildings.

Placed on file.

MORE INVESTIGATORS IN HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, March 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Daniel A. Murphy, Acting Executive Director of the Public Welfare, relative to your order of February 14, 1938, concerning the advisability of conferring with the Directors of Public Welfare relative to providing more investigators in the Hyde Park area.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
March 22, 1938.

Mr. W. T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—This department has received your communication of February 25 with inclosed copy of an order from the City Council dated February 14, 1938, reading as follows:

"Ordered, That the Mayor of Boston be requested to consider the advisability of conferring with the Directors of Public Welfare relative to providing more investigators in the Hyde Park area."

At the present time a survey is being made of the department staff, and, if possible, additional visitors will be assigned to this district.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

BUS TO CARSON BEACH.

The following was received:

City of Boston,
Office of the Mayor, March 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Edward Dana, President and General Manager of the Boston Elevated Railway Company, relative to your order of February 28, 1938, concerning the running of a bus line from Blue Hill avenue and Quincy street, Roxbury, to Carson Beach, during the summer months, with a five-cent fare.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
March 11, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Replying to your letter of March 7, we have been granted a license to operate, during the summer season, bus service between the junction of Blue Hill avenue and West Cottage street and a point on Columbia road near Columbia Station via Blue Hill avenue, Dudley street and Columbia road, and are planning to operate such service this summer. The fare will be five cents without transfer privilege.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

SOLARIUM FOR WOMEN AT L STREET.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from William P. Long, chairman of the Park Department, relative to your order of March 28, 1938, concerning the construction as a W. P. A. project of a solarium for women at L Street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 1, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have your memo. of March 30, from William T. Doyle, chief clerk, with inclosure, City Council order of March 28, 1938, relative to the construction as a W. P. A. project of a solarium for women at L Street.

I will be very glad to look into the construction cost of a solarium of this kind, and, if it is possible for the city to supply the material required, I will forward a project to the Government.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FEE FOR HYDE PARK GOLF COURSE.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from William P. Long, chairman of the Park Department, relative to your order of March 28, 1938, concerning the establishing of a fee of not more than \$25 per year for use of the new Hyde Park golf course.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 1, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memo. from William T. Doyle, chief clerk, with inclosure, order of the City Council that the Park Commission be requested to establish a fee of not more than \$25 per year for use of the new Hyde Park golf course.

I regret exceedingly to inform you that a fee of \$35 has been established, the reason being that this golf course is the finest, and has the finest club house, anywhere in this state or in the country. The fee is larger than that of immediate golf courses, but the users are obtaining more.

It is essential that we make this course as nearly self-supporting as possible, and for that reason the Board of Park Commissioners established the fee of \$35, which we feel is very reasonable. We have at the present time 155 members, who seem to be satisfied with this fee.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

WADING POOL, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, April 2, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from William P. Long, chairman of the Park Department, relative to your order of March 28, 1938, concerning the advisability of constructing a wading pool for the young children of the district on the grounds of the property formerly occupied by the School Department, and which now has been abandoned, at the corner of Washington and Stimson streets, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 1, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have a memo. from William T. Doyle, chief clerk, with inclosure, order from the City Council that the Park Commission be requested to consider the advisability of constructing a wading pool for young children of the Germantown district, on the grounds of property formerly occupied by the School Department at the corner of Washington and Stimson streets.

I will have an immediate investigation made as to the cost of constructing said pool, although I cannot look with much favor on an outdoor pool in this neighborhood, from a sanitary standpoint. All phases of the question will be gone over very carefully and, if possible, a W. P. A. project will be made up.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PLAYGROUND, TREMONT, ALLEGHANY, CALUMET STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 22, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Long, Commissioner of the Park Department, relative to your order of February 14, 1938, concerning the construction of a playground on the vacant land within the block bounded by Tremont, Alleghany, Calumet and St. Alphonsus streets.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, March 14, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memo. from your office, with inclosure, order from the City Council that the Park Department construct a playground in Roxbury on the vacant land within the block bounded by Tremont, Alleghany, Calumet and St. Alphonsus streets.

The problem of constructing a playground in this area is a very costly one. In order to develop this lot for playground purposes and to make the place safe, a great deal of the ledge would have to be removed, or at least enough so that a slope could be formed between Alleghany street and the lower level. Also, a portion of the ledge in the rear of South Worthington street and the ledge near Whitney place should be entirely removed. It would then have to be covered with earth fill and loam so as to provide a uniform bank or slope from Alleghany street to the lower level of the lot. The removal of this ledge would cost considerable.

I estimate the cost of developing this lot for playground purposes, including the removal of all the dangerous ledges and constructing a level field, as follows:

| | |
|--|---------------------|
| 100,000 cubic yards ledge excavation at \$2.50..... | \$250,000 00 |
| 12,000 cubic yards earth filling necessary to cover over the ledge remaining after the big portion of ledge has been removed, at 75 cents..... | 9,000 00 |
| 8,000 cubic yards loam, furnished and spread, at \$1.50..... | 12,000 00 |
| Drainage..... | 5,000 00 |
| Water supply and irrigation..... | 2,000 00 |
| 2,700 feet of boundary fence at \$2 a foot..... | 5,400 00 |
| Backstop for baseball..... | 400 00 |
| Steps, ramps, etc., to lead from upper streets to lower level playground..... | 3,000 00 |
| Field house..... | 25,000 00 |
| Total..... | \$311,000 00 |

The above figures are based on the work being done by contract, as that would be the least costly way of constructing this playground. This is one of the most dangerous areas at the present time that I know of in the Roxbury district. There are two ledges with vertical faces that are very accessible to children and others, each having a sheer drop of thirty feet. There are other loose, dangerous, ragged places left in bad condition near Alleghany street, and there is grave danger of children playing on this ledge falling off same. Or if they play underneath the ledge there is danger of a portion of same falling on them.

This disintegration shows on Worthington street and Whitney place, and a portion of this stone could easily slide against one of the abutting houses. This lot should be immediately fenced as a matter of safety for children. A fence should also be erected on the top of each ledge. All loose fragments of stone should be immediately removed. It is a menace to public safety and the owners should be warned to this effect.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LIGHTS, FALLON FIELD.

The following was received:

City of Boston,
Office of the Mayor, March 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Long, chairman of the Park Department, relative to your order of March 14, 1938, concerning the installation of lights in Fallon Field, Roslindale, from the South street entrance to the Belgrade avenue entrance.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, March 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have received a memo. from William T. Doyle, chief clerk, with inclosure, order from the City Council that the Park Commission install lights in Fallon Field, Roslindale, from the South street entrance to the Belgrade avenue entrance.

I regret exceedingly to inform you that the department has no money available for this purpose. I realize this is a passageway, but it is impossible to keep lights in the tunnel underneath the railroad, which we have endeavored to do for a number of years.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPAIRS TO JOHN W. MURPHY PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Long, chairman of the Park Department, relative to your order of March 14, 1938, concerning the making of the necessary repairs to the John W. Murphy Playground, Ward 11, at the earliest possible date.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, March 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have received a memo, from William T. Doyle, chief clerk, with inclosure, order from the City Council that the Park Commission make necessary repairs to the John W. Murphy Playground, Ward 11, at the earliest possible date.

As soon as the ground dries out it will be raked and rolled and the necessary grading done, so as to have the grounds ready for baseball at the earliest possible moment.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

REPAIRS TO JOHN J. CONNOLLY
PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, March 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Long, chairman of the Park Department, relative to your order of March 14, 1938, concerning the making of the necessary repairs to the John J. Connolly Playground, Ward 11, at the earliest possible date.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, March 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have received a memo, from William T. Doyle, chief clerk, with inclosure, Council order that the Park Commission make the necessary repairs to the John J. Connolly Playground, Ward 11, at the earliest possible date.

Please be informed that when the ground dries out it will be raked and rolled and made available for baseball at the earliest possible moment.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

DATE OF CLOSING OF ROSLINDALE
GYMNASIUM.

The following was received:

City of Boston,
Office of the Mayor, April 4, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Long, chairman of the Park Department, relative to your order of March 28, 1938, concerning the keeping of the gymnasium in the Roslindale Municipal Building open until at least the middle of May instead of closing it on April first as is now proposed.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 2, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am in receipt of a memo, from William T. Doyle, chief clerk, with inclosure, order of the City Council that the Park Commission be requested to keep the gymnasium in the Roslindale Municipal Building open until at least the middle of May instead of closing it on April first as is now proposed.

I will be very glad to keep this building open until the middle of April but see no necessity of keeping it open, anyhow, later than May 1. Our gymnasium classes are being reduced rapidly, and in the event of any warm weather, attendance at all classes will fall off. Furthermore, physical exercise should be taken in the open air by May 1.

I will be very pleased to keep this gymnasium open just as long as I possibly can.

Very truly yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BARRING OF USE OF SAVIN HILL AVE-
NUE TO CERTAIN TRUCKS.

The following was received:

City of Boston,
Office of the Mayor, March 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of February 28, 1938, concerning the barring of the use of Savin Hill avenue by trucks of the Coleman Disposal Company in going to and coming from their dump.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, March 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated February 28, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to bar the use of Savin Hill avenue to trucks of the Coleman Disposal Company in going to and coming from their dump."

Investigation revealed that the reason for the request that trucks of the Coleman Disposal Company be prohibited from using Savin Hill avenue was because the company has recently opened a new dumping place east of Old Colony Parkway, and that the most direct route to and from this area is through Savin Hill avenue and Old Colony terrace to Old Colony Parkway.

There is an alternative route, the use of which does not entail going through a purely residential section such as Savin Hill avenue. This commission therefore, at a meeting held on March 16, 1938, voted that, for a trial period of sixty days, effective beginning March 23, 1938, heavy trucks are excluded from Old Colony terrace, between Savin Hill avenue and Old Colony Parkway.

The exclusion of these vehicles from Old Colony terrace will effectively prevent them from using Savin Hill avenue, since the terrace is the only street connecting with Old Colony Parkway.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

WARNING SIGNALS, WARDS 4 AND 5.

The following was received:

City of Boston,
Office of the Mayor, March 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Traffic Commission, relative to your order of February 28, 1938, concerning the installation of appropriate warning signals or "Stop" signs on Appleton street, near Clarendon street, Wards 4 and 5.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, March 16, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated February 28, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install appropriate warning signals or 'Stop' signs on Appleton street, near Clarendon street, Wards 4 and 5."

There are no funds available at present to this commission for the installation of an automatic traffic signal at this intersection.

We do not believe that the installation of "Stop" signs at this location would improve traffic conditions. It is the experience of traffic authorities throughout the country that, except under very specific conditions, the establishment of "Stop" streets does not reduce motor vehicle accident hazards. Proponents of "Stop" signs who are not acquainted with their lack of success in other locations assume that if a "Stop" sign is erected all cars will stop when entering an inter-

section, thus eliminating the danger of collision with other vehicles and of striking a pedestrian. This theory does not work out in practise. On the contrary, users of the main street, who are not required to stop, increase speed when crossing such intersections, because they assume that all vehicles entering from the side street will stop. Pedestrians are also lulled into a false sense of security and do not use sufficient care in crossing streets when they are aware of the presence of a "Stop" sign.

For the above reasons we do not recommend the erection of "Stop" signs in this location.

Respectfully yours,

WILLIAM P. HICKEY,
Commissioner.

City of Boston,

Office of the Mayor, March 22, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, concerning your order of February 28, 1938, relative to the installation of appropriate warning signals or "Stop" signs on Chandler street, near Clarendon street, Wards 4 and 5.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Traffic Commission, March 15, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated February 28, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install appropriate warning signals or 'Stop' signs on Chandler street, near Clarendon street, Wards 4 and 5."

There are no funds available at present to this commission for the installation of an automatic traffic signal at this intersection.

We do not believe that the installation of "Stop" signs at this location would improve traffic conditions. It is the experience of traffic authorities throughout the country that, except under very specific conditions, the establishment of "Stop" streets does not reduce motor vehicle accident hazards. Proponents of "Stop" signs who are not acquainted with their lack of success in other locations assume that if a "Stop" sign is erected all cars will stop when entering an intersection, thus eliminating the danger of collision with other vehicles and of striking a pedestrian.

This theory does not work out in practise. On the contrary, users of the main street, who are not required to stop, increase speed when crossing such intersections, because they assume that all vehicles entering from the side street will stop. Pedestrians are also lulled into a false sense of security and do not use sufficient care in crossing streets when they are aware of the presence of a "Stop" sign.

For the above reasons we do not recommend the erection of "Stop" signs in this location.

Respectfully yours,

WILLIAM P. HICKEY,
Commissioner.

City of Boston,

Office of the Mayor, March 22, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of February 28, 1938, concerning the installation of appropriate warning signals or "Stop" signs on Warren avenue, near Clarendon street, Wards 4 and 5.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Traffic Commission, March 15, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated February 28, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install appropriate warning signals or 'Stop' signs on Warren avenue, near Clarendon street, Wards 4 and 5."

There are no funds available at present to this commission for the installation of an automatic traffic signal in this intersection.

We do not believe that the installation of "Stop" signs at this location would improve traffic conditions. It is the experience of traffic authorities throughout the country that, except under very specific conditions, the establishment of "Stop" streets does not reduce motor vehicle accident hazards. Proponents of "Stop" signs who are not acquainted with their lack of success in other locations assume that if a "Stop" sign is erected all cars will stop when entering an intersection, thus eliminating the danger of collision with their vehicles and of striking a pedestrian.

This theory does not work out in practise. On the contrary, users of the main street, who are not required to stop, increase speed when crossing such intersections, because they assume that all vehicles entering from the side street will stop. Pedestrians are also lulled into a false sense of security and do not use sufficient care in crossing streets when they are aware of the presence of a "Stop" sign.

For the above reasons we do not recommend the erection of "Stop" signs in this location.

Respectfully yours,

WILLIAM P. HICKEY,
Commissioner.

Severally placed on file.

SIGNALS AT DANGEROUS INTERSECTIONS.

The following was received:

City of Boston,

Office of the Mayor, April 4, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of March 14, 1938, concerning a sum sufficient, included in the 1938 budget, for the installation of traffic signals and lights at the most dangerous intersections of Boston and said work to be done as a W. P. A. project.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Traffic Commission, April 2, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 14, 1938, which reads as follows:

"Ordered, That his Honor the Mayor be requested to include in his budget for 1938 a sum sufficient for the installation of traffic signals and lights at the most dangerous intersections of Boston and said work to be done as a W. P. A. project."

This commission has recommended the installation of automatic traffic signals at approximately one hundred intersections which our accident records show to be the most dangerous in the city. The estimated cost of installing signals at these one hundred locations is \$350,000. The cost of materials and equipment would amount to practically 75 per cent of the total cost of the project, or \$262,500. Under W. P. A. regulations the sponsor is required to purchase all materials. The Government provides only the labor.

The submission of such a project for approval would be an expression of an offer by the City of Boston to pay \$262,500 of the total cost, an amount which seems prohibitive at the present time in view of the necessity for the practise of rigid economy.

Respectfully yours,

WILLIAM P. HICKEY,
Commissioner.

Placed on file.

TRAFFIC SIGNALS, WARD 12.

The following was received:

City of Boston,

Office of the Mayor, April 4, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order

of March 28, 1938, concerning the installation of automatic traffic signals at the corner of Seaver street and Humboldt avenue, Ward 12.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, April 2, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated March 28, 1938, which reads as follows:

“Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Seaver street and Humboldt avenue, Ward 12.”

There are no funds available to this commission at present for the installation of an automatic traffic signal in this intersection.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

TRAFFIC SIGNALS, WARDS 10 AND 19.

The following was received:

City of Boston,
Office of the Mayor, April 4, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William P. Hickey, Commissioner of the Boston Traffic Commission, relative to your order of March 28, 1938, concerning the installation of automatic traffic signals at the intersection of Perkins street and Jamaica way, Wards 10 and 19.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, April 2, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated March 28, 1938, which reads as follows:

“Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the intersection of Perkins street and Jamaica way, Wards 10 and 19.”

This intersection is on a list of locations where this commission has recommended the installation of automatic traffic signals when funds are provided.

The estimated cost of installing an automatic traffic signal is \$2,600.

There are no funds available to this commission at present for this installation.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

ARC LIGHT, BLUE HILL AVENUE AND SEAVER STREET.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of March 14, 1938, concerning the installation of an arc light at the corner of Blue Hill avenue and Seaver street, and more particularly at the intersection facing Franklin Park.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of Blue Hill avenue and Seaver street, and more particularly at the intersection facing Franklin Park.

We are trying our best to reduce the cost of lighting in the city owing to the budget appropriation, and therefore do not feel that we will be able to install the arc light at the location requested.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF WARD 13 STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of the Public Works Department, relative to your order of March 21, 1938, concerning the resurfacing of the following streets in Ward 13 under the W. P. A. plan of construction: Dewey street, Fairbury street, Auckland street, Bakersfield street, Belfort street, Sagamore street, Pearl street, Sudan street, Sumner street, Grampian way, Rockmere street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received order as passed by the City Council, under date of March 21, relative to resurfacing the following streets:

Dewey street, Fairbury street, Auckland street, Bakersfield street, Belfort street, Sagamore street, Pearl street, Sudan street, Sumner street, Grampian way, Rockmere street.

You are advised that the above-named streets are now on approved W. P. A. projects.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

ARC LIGHT, SPRING STREET, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of the Public Works Department, relative to your order of March 21, 1938, concerning the installation of an arc light on the left-hand side of Spring street, at the junction of Centre street, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of order as passed by the City Council, under date of March 21, regarding the installation of an arc light on the left-hand side of Spring street, at the junction of Centre street, Ward 20, but regret that the budget appropriation as submitted will not allow the installation of this light during the coming year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

REPAVING OF TERRACE STREET, WARD 10.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of the Public Works Department, relative to your order of March 14, 1938, concerning the repaving of Terrace street, Ward 10.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of the order as passed by the City Council under date of March 14 requesting that the Commissioner of Public Works repave Terrace street, in Ward 10, and you are advised that Terrace street was submitted as a W. P. A. project some time ago.

We expect in the near future to receive the approval of the Government and we will be pleased to go ahead with the improvement at once.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF WARREN AVENUE.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of the Public Works Department, relative to your order of March 14, 1938, concerning the resurfacing and repairing of Warren avenue, Ward 4.

Very truly yours,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 25, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith information requested by the City Council order of March 14 concerning the resurfacing and repairing of Warren avenue, Ward 4.

You are advised that this street was resurfaced late in the season during 1937 by W. P. A. forces and that the surface of the street is in perfect condition, except in a few spots, due to the fact that when the pavement was laid the temperature was below 32 degrees, but it was necessary to complete the street in order to open it up for traffic.

As soon as weather conditions permit we will proceed with the necessary repairs.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

NEW SIDEWALKS, DUDLEY STREET.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of the Public Works Department, relative to your order of March 21, 1938, concerning the installation of new sidewalks on both sides of Dudley street, from Washington street to John Eliot square, as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received notice of the order as passed by the City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to install new sidewalks on both sides of Dudley street, from Washington street to John Eliot square, as a W. P. A. project.

I am having an investigation made and if we find that we have the necessary funds available in Item H, I will submit this as a project, as it is a necessary improvement.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF METROPOLITAN AVENUE.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works Department, relative to your order of March 21, 1938, concerning the resurfacing with smooth paving Metropolitan avenue, between Washington street and Poplar street, Ward 18.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith information requested in order of City Council as passed under date of March 21 with relation to resurfacing of Metropolitan avenue, between Washington street and Poplar street, and you are informed that as soon as the weather gets warmer we intend to put a hlanket coat over this street, which will give the desired results, as requested.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF WARD 11 STREETS.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works Department, relative to your order of March 21, 1938, concerning the resurfacing with smooth paving the following streets in Ward 11: Boynton street, Custer street, Atherton street, Haverford street, Thornton street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of order as passed by the City Council under date of March 21 relative to the resurfacing of the following streets in Ward 11: Boynton street, Custer street, Atherton street, Haverford street, Thornton street.

You are advised that the above-named streets have been submitted on a W. P. A. project, and we expect the approval within a short time.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

SIDEWALK, LONGFELLOW SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of March 21, 1938, concerning the making of the necessary repairs to the brick sidewalk in front of the Longfellow School, on Hewlett and Walter streets, Ward 20, which is in unsafe condition and hazardous to school children.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of the order as passed by the City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to make the necessary repairs to the brick sidewalk in front of the Longfellow School,

on Hewlett and Walter streets, Ward 20, which is in an unsafe condition and bazardous to school children.

You are advised that I have instructed the district foreman to make all the necessary repairs.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF ST. BOTOLPH STREET.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of March 14, 1938, concerning the resurfacing of St. Botolph street, Ward 4.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface St. Botolph street, Ward 4.

St. Botolph street, from the Boston & Albany Railroad to Massachusetts avenue, has a macadam surface with a high crown and is in poor condition. This street was included in a W. P. A. project but, due to a change of pipes on account of the new subway, it was withdrawn.

When the underground work therein is completed this portion of the street will be resurfaced by the Transit Commission.

From Massachusetts avenue to Gainsborough street the surface of this street is of asphalt on a concrete base, built in 1932, and in good condition.

From Gainsborough street to 289 feet south of Gainsborough street the surface of this street is of asphalt macadam, built by the E. R. A. forces in 1932, and is in fair condition.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF WEST NEWTON STREET.

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of March 14, 1938, concerning the resurfacing of West Newton street, Ward 4.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface West Newton street, Ward 4.

West Newton street, from Washington street across St. Botolph street, is a smooth pavement on a crushed stone base and is in good condition, with the exception of that portion between St. Botolph street and Huntington avenue, where a change in the underground work is going on and which, no doubt, will be repaired by the Transit Commission.

From Huntington avenue to 59 feet west of Belvidere street, there is a macadam surface on this street and same is in fair condition.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

NEW SIDEWALKS, KENILWORTH STREET.

The following was received:

City of Boston,
Office of the Mayor, March 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. E. M. Richardson, Commissioner of Public Works, relative to your order of March 21, 1938, concerning the installation of new sidewalks on both sides of Kenilworth street, Roxbury, Ward 9, as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to install new sidewalks on both sides of Kenilworth street, Roxbury, Ward 9, as a P. W. A. project.

Kenilworth street has been submitted as a P. W. A. project and we will regulate the sidewalk when we are in the street with the W. P. A. forces.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

WITHDRAWAL OF WARREN BRIDGE APPROPRIATION ORDER.

The following was received:

City of Boston,
Office of the Mayor, April 4, 1936.
To the City Council.

Gentlemen,—Under date of January 10, 1938, I submitted a recommendation to your honorable body that an appropriation of \$100,000 be made to cover the estimated cost of repairing Warren Bridge. As a result of an examination and investigation of the structure made at my request by the Massachusetts Institute of Technology it is now evident that the bridge can be repaired for a much lesser amount than that originally recommended. Since no action has as yet been taken on the original recommendation by your Honorable Body I desire to withdraw the same and include an appropriation for the work within the segregated budget recommendations to be submitted at an early date. I therefore request that my recommendation of January 10, with relation to the Warren Bridge, be withdrawn from further consideration by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Placed on file.

TRANSFER OF PROPERTY IN REAR OF 140-150 CENTRE STREET.

The following was received:

City of Boston,
Office of the Mayor, April 4, 1938.
To the City Council.

Gentlemen,—In accordance with the attached recommendation of the Commissioner of Public Works, I submit herewith an order providing for the transfer of property located in the rear of 140-150 Centre street, Dorchester, from the Superintendent of Public Buildings to the possession of the Public Works Department. The above mentioned is tax title property owned by the City of Boston and is suitable for use by the Department of Public Works.

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

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, March 18, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Due to lack of appropriation, the Public Works Department has given up the use of property on Gibson street and Christopher street, Dorchester, which it has occupied for some years under lease from Mrs. Annie V. Loonie. We vacated the property on January 31, 1938, and the activities which were carried on at

that yard have been transferred to another location temporarily. This temporary location is not convenient and is not really suitable for the use of the Public Works Department, and considerable expense will be required in order to put it in such a condition as to make it available for our purposes.

Recently, I was informed by the Superintendent of Public Buildings that he has a piece of tax title property under his control which I feel would meet our needs. This property is located in the rear of 140-150 Centre street, Dorchester, near the Shawmut Station, and an inspection of the property convinces me that it would be an ideal location for a yard for our Paving Service, being centrally located in the Ashmont section of Dorchester. A description of this property as furnished by the Superintendent of Public Buildings is as follows:

"About seventy-two hundred seventy-one (7,271) square feet of land lying in the rear from the northerly side of Centre street, adjoining an estate now or formerly of John H. McDermott, being lot two (2), S. A. Kaufman plan, dated May 28, 1928, registered in the Suffolk Registry District of Land Court, certificate No. 23596. Said land is situated in block 116-D, in the Dorchester district, shown in the Boston Assessors' Books of Plans of said city, filed in the Suffolk Registry of Deeds. Deed was dated September 22, 1930, and registered on September 25, 1930, as Document No. 101021, with certificate No. 23596, in the Suffolk Registry District of Land Court."

I understand that for the Public Works Department to obtain the use of this property it will be necessary to have the approval of the City Council and I respectfully present the matter to your Honor with the suggestion that an order be forwarded to the City Council for the transfer of this property from the Public Buildings Department to the Public Works Department.

Respectfully yours,

E. M. RICHARDSON,
Commissioner of Public Works.

Ordered, That the land at the rear of 140-150 Centre street, Dorchester, described as follows: "Seventy-two hundred seventy-one (7,271) square feet of land lying in the rear from the northerly side of Centre street, adjoining an estate now or formerly of John H. McDermott, being lot two (2), S. A. Kaufman plan, dated May 28, 1928, registered in the Suffolk Registry District of Land Court, certificate No. 23596. Said land is situated in block 116-D in the Dorchester district, shown in the Boston Assessors' Books of Plans of said city, filed in the Suffolk Registry of Deeds. Deed was dated September 22, 1930, and registered on September 25, 1930, as Document No. 101021, with certificate No. 23596, in the Suffolk Registry District of Land Court", now in the possession and management of the Superintendent of Public Buildings, be, and hereby is, transferred to the care, possession and control of the Commissioner of Public Works.

Referred to Executive Committee.

PETITIONS RECEIVED.

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

Claims.

Andrew E. Connelly, to be reimbursed for judgment issued against him.

Andrew E. Connelly, to be reimbursed for judgment issued against him.

Andrew E. Connelly, to be reimbursed for judgment issued against him.

Sarah F. Cronin, for compensation for injuries caused by an alleged defect at 17 Worcester street.

Mrs. Charles Deshler, for compensation for damage to car caused by an alleged defect at 23 Woodhaven street.

Atherton Loring, Jr., for compensation for damage to car by city truck.

Mary Palaima, for compensation for damage to coat caused by an alleged defect in State street.

Isaac Pragoff, for refund on refuse tickets.

Edwin S. Read, for compensation for injuries caused by an alleged defect in city yard.

Marshall D. Sands, for compensation for damage to property at 10 Ward street, caused by bullet from officer's gun.

John Davis, for compensation for injuries caused by city truck.

Executive.

Petition of Elliott T. Bouley to be retired as janitor in Police Department.

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

Ruth M. Taylor, Jordan Hall, May 7.

Boston Music School Settlement, Jordan Hall, April 3.

APPOINTMENT OF TRANSIT COMMISSIONER.

Notice was received from the Mayor of appointment of John A. Donogbue, of 64 Halifax street, Jamaica Plain, to be a Transit Commissioner, for term ending April 30, 1938.

Placed on file.

DESIGNATION OF ACTING BUILDING COMMISSIONER.

Notice was received from the Mayor of resignation of Edward G. Roemer, Building Commissioner, and designation of William Higgins, Street Commissioner, to be Acting Building Commissioner.

Placed on file.

APPOINTMENT OF BUILDING COMMISSIONER.

Notice was received from the Mayor of appointment of James H. Mooney, of 4 Friedane terrace, Dorchester, to be Building Commissioner, for term ending April 30, 1942.

Placed on file.

LIABILITY POLICIES.

Public liability policies were received covering the National League Baseball Club and Boston American League Baseball Company for Sunday sports.

The bonds were severally approved.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following reports, viz.:

1. Report on petition of James J. Bellew (referred March 21) to be reimbursed for amount of execution issued against him on account of acts as operator of motor vehicle belonging to Sanitary Division, Public Works Department—recommending the passage of accompanying order, viz.:

Ordered, That the sum of twenty-one dollars and twenty cents (\$21.20) be allowed and paid to James J. Bellew in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

2. Report on petition of Edmund Currie (referred March 28) to be reimbursed for amount of execution issued against him on account of acts as operator of motor vehicle belonging to Sanitary Division, Public Works Department—recommending the passage of accompanying order, viz.:

Ordered, That the sum of fifty-one dollars and twenty cents (\$51.20) be allowed and paid to Edmund Currie in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

3. Report on petition of John Driscoll (referred March 28) to be reimbursed for amount of execution issued against him on account of acts as operator of motor vehicle belonging to Sanitary Division, Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of thirty-eight dollars and twenty cents (\$38.20) be allowed and paid to John Driscoll in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

4. Report on petition of Thomas F. Londergan (referred March 14) to be reimbursed for amount of execution issued against him on account of acts as operator of motor vehicle belonging to Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of sixteen dollars and twenty cents (\$16.20) be allowed and paid to Thomas F. Londergan 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 Contingent Fund.

Report accepted; said order passed.

5. Report on petition of Arthur A. O'Connor (referred March 28) to be reimbursed for amount of judgment 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-five dollars (\$25) be allowed and paid to Arthur A. O'Connor in reimbursement for amount of judgment 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 Contingent Fund.

Report accepted; said order passed.

ADDITIONAL BENCHES, FRANKLIN PARK.

Coun. ENGLERT offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install additional benches at the School street entrance to Franklin Park, Ward 11.

Passed under suspension of the rule.

RESURFACING OF CHILD STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Child street, Ward 11.

Passed under suspension of the rule.

NOTICE TO COUNCILORS OF DEPARTMENT HEARINGS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to issue instructions to all heads of departments, boards and commissions of the city, to forward sufficient notice of hearings before any commission or board, concerning changes in rules or regulations, to the member of the City Council whose district may be affected by such changes.

Coun. ROSENBERG—Mr. President, I am prompted to introduce this order due to the fact that at times departments and boards of the city have hearings in reference to matters and programs that are of interest to members of the Council representing different districts. I know of recent hearings before boards and commissions of which I would certainly have liked to be notified. They sometimes concern matters that may be either beneficial or detrimental to the district, and upon which we would like to be heard. I remember a short time ago, in a certain section of the city, a hearing was granted upon which the member interested had no opportunity to be heard, and a permit was granted, after which

nothing could be done unless the grant was made illegal. Therefore, in any matter concerning any of our districts which may be either beneficial or detrimental to the district, I believe the members of the Council should be notified of what is taking place, so that they may be kept informed and may have an opportunity, if they wish, to express themselves.

The order was passed under suspension of the rule.

ACCEPTANCE OF HALLIDAY STREET.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Halliday street, Ward 19, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ARC LIGHT, RONAN PARK.

Coun. KELLY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light at the corner of Marie street and Mt. Ida road, at the entrance to Ronan Park, Ward 15.

Passed under suspension of the rule.

PEDESTRIAN RESERVATIONS.

Coun. AGNEW and SULLIVAN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install pedestrian reservations in Union square, Allston.

Passed under suspension of the rule.

TAKING OF BOSTON ELEVATED BY EMINENT DOMAIN.

Coun. SULLIVAN and IRWIN offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation (House Bill No. 1061) providing for the taking of the Boston Elevated Railway Company by eminent domain by the Metropolitan District Commission, provided that such legislation includes a referendum to the Mayor and City Council.

Coun. SULLIVAN—Mr. President, I am prompted to introduce this resolution because of a bill which is now pending in the Legislature, House Bill 1061, providing for the taking of the Boston Elevated Railway under eminent domain by the Metropolitan District Commission. This year, I am informed, the Boston Elevated Trustees, will be called upon to pay \$378,000 as a contribution to social security and unemployment compensation. The only way in which that can be avoided is through the taking over under public ownership of the Boston Elevated Railway. Otherwise, next year approximately \$517,000 will have to be expended for the same purpose, and it will simply add to the deficit that is charged up to the cities and towns in the metropolitan district. The only way to avoid that is by taking over the road by eminent domain, as provided for in House Bill 1061, and I believe, therefore, that this body should get behind that bill 100 per cent. I believe, also, from the standpoint of service, that if this road were taken over under public control the citizens would be far better served than they are today. While I understand the Boston Elevated is only fifty years old, it certainly looks far more than its age, and I believe some such action as this should be taken to improve the road and add to the efficiency of the service in our various districts. Certainly, something must be done to improve the service in the district I represent. Believing that it will be in the interest of economy and efficiency, I certainly favor, and I believe the other members of this body will feel the same way, the action proposed under House Bill 1061 being taken.

The order was referred to the Executive Committee.

UNITED STATES MERCHANT MARINE
FIRE SCHOOL.

Coun. FITZGERALD offered the following
Proposed Amendment to United States Senate
Bill 2580.

Title: To authorize the organization of United States Merchant Marine Fire School of Instructions and Traveling Inspection Service in the Bureau of Navigation and Inspection, Department of Commerce.

1. That the Secretary of Commerce be authorized to select and appoint a person to be known as Merchant Marine Fire Chief, with aides to be known as Port Fire Chiefs. That said fire chief and port fire chiefs shall have had at least fifteen years experience as an employee of a seaport fire department to qualify for the positions.

2. After selection and appointment of said chiefs the chief shall cause to be made rules and regulations that will efficiently operate and maintain discipline within said office and organization.

3. Also to establish a school, and construct a suitable structure, for instruction by demonstration of fire extinguishment and standard methods used by the experienced fireman, also the instructions of coping with all emergencies that arise along the waterfront.

4. The first structure of this kind shall be constructed within the Port of Boston, Massachusetts.

5. Said school shall be made available to present employees that are selected by owners and operators of vessels of the United States Merchant Marine Service. That after attendance at said school said employee shall be licensed by the Fire Chief to act in the capacity as a vessel's fire officer or fire watchman on board all United States vessels that carry passengers.

6. Said schools shall be in session during winter months or at other times that fire chief may direct.

7. During heavy passenger travel the port fire chiefs shall be detailed to act as traveling inspectors of fire drills and appliance on vessel that chief may select.

8. Said chief shall within thirty days after appointment submit an estimate cost to maintain and operate said service.

9. Within ninety days he shall submit a set of emergency rules and regulations that will maintain unparalleled service of discipline.

10. The operation of said school shall in no way interfere with the navigation or operation of a vessel.

Referred to the Committee on Rules.

SPOT LIGHT NEAR MISSION CHURCH.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a spot light for the protection of the police officer doing traffic duty in front of the Mission Church, Roxbury.

Passed under suspension of the rule.

ACCEPTANCE OF GROTTO GLEN ROAD.

Coun. CAREY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Grotto Glen road, Ward 10, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

TRAFFIC STAND, COLUMBUS AVENUE.

Coun. HARRIS, CAREY and ENGLERT offered the following:

Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to install a traffic stand and assign a traffic officer during rush hours on Columbus avenue, opposite Roxbury street.

Coun. CAREY—Mr. President, there is a great congestion of automobile and street car traffic at the point referred to in this order, I feel, therefore, that a traffic stand should be installed and a traffic officer assigned during rush hours on Colum-

bus avenue, opposite Roxbury street. That will tend to eliminate a great deal of the present danger at that point. I trust, therefore, that the Mayor will call this matter to the attention of the Police Commissioner and that something along the line suggested will be done.

RECESS.

The Council voted at 3.05 p. m., on motion of Coun. SULLIVAN, to take a recess subject to the call of the Chair. The members reassembled and were called to order at 4.30 by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, 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.:

Ruth M. Taylor Jordan Hall, May 7; Boston Music School Settlement, Jordan Hall, April 3—recommending that leave be granted on usual conditions.

Report accepted; leave granted on usual conditions.

2. Report on petition of Elliott T. Bouley (referred April 4) to be retired as janitor in Police 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 1914, Elliott T. Bouley, employed as janitor in the Police Department of the City of Boston.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) providing for transfer of property located in rear of 140-150 Centre street, Dorchester to possession of Public Works Department—that same ought to pass.

Report accepted; said order passed.

TAX TITLE SALES.

President KERRIGAN called up, under unfinished business, Nos. 1, 2, 3 and 4 on the calendar, viz.:

1. Townsend street, northeasterly side.
2. Wachusset street, northeasterly side.
3. 85-97 Gold street.
4. 26 Medford street.

On March 21, 1938, the foregoing orders were read once and passed, yeas 18, nays 0.

The orders were given their second reading and passage, yeas 20, nays 0.

FERRYBOAT SALE.

President KERRIGAN called up, under unfinished business, No. 5 on the calendar, viz.:

5. Ordered, That the Commissioner of Public Works be, and hereby is, authorized to sell, at a duly advertised public auction, the ferryboat "Lieutenant Flaherty," at an upset price of forty thousand dollars.

Coun. Shattuck moved to substitute for the foregoing order the following:

Ordered, That the Commissioner of Public Works be, and hereby is, authorized to sell, at a duly advertised public auction, the ferryboat "Lieutenant Flaherty," at an upset price of forty thousand dollars, and the ferryboat "Daniel A. McCormack," at an upset price of fifty thousand dollars.

The question came on substitution.

Coun. TAYLOR—Mr. President, in executive session I recommended that this matter be placed on the table for one week, and I now make that motion before this body. I appreciate the Mayor's attitude on economy, but I don't think that laying this matter on the table for another week is going to jeopardize his program in any way whatsoever. We had before us today in executive meeting a body of East Boston business men in regard to this matter. They came here with the belief that both boats should not be sold. They have sought to see the Mayor and have not yet been able to do so. In my opinion, the Mayor has an open mind. I do not believe that he has absolutely definitely decided what his

attitude here should be until he has listened to all arguments pro and con. I personally, at the present moment, do not know how to vote on this question, and I believe there is doubt in the minds of many members of the body. I think, therefore, in all due fairness not only to the people of the East Boston district but to the business men of that section, they should be given an opportunity to present their views to the Mayor of Boston. As I have said, I do not think a week's delay will jeopardize the Mayor's economy program one bit, and if at the end of that time the Mayor believes that we should assist him in carrying out his original program, after he has listened to representatives of the citizens of East Boston, the time will then be ripe for action on our part. I certainly hope that the matter will be laid on the table for a week.

Coun. IRWIN—Mr. President, I heartily agree with the motion to lay this matter on the table for a week. You have heard the opposition on the part of business men of East Boston, one the representative of a concern which is assessed for \$400,000. Of course, neither the chief executive of the city nor any of us can be expected to know everything in regard to matters coming before this body for action. It is our duty to listen to those who do know and who are affected by the proposed action. Therefore, we should at least allow to these men the courtesy of an audience with the Mayor. I don't think he would be loth to defer action for a week, under such circumstances. There is no necessity for hurrying the thing along. The men who appeared here are reputable business men who pay taxes to the City of Boston. They feel strongly in this matter, and they think if they could have an audience with the Mayor they might be able to change his mind. I hope, therefore, that Councilor Taylor's motion will prevail, and that action will be postponed.

Coun. SHATTUCK—Mr. President, we have already postponed action upon this matter for six weeks, during which time it has been under discussion, and during all that time the men who appeared here today were not heard from. There was nothing new brought out this afternoon, and it seems to me that the opponents of the proposed sale are really more scared than hurt. The people of that community already have four bridges connecting with the city, and have an additional important highway in the form of a vehicular tunnel. In addition they have a passenger highway in the Elevated subway. The vehicular tunnel carries, with the exception of horse-drawn vehicles, which are almost negligible, only fifty or so a day—practically all the traffic between Boston and East Boston. It is arranged to accommodate the height and width of trucks, so that all are now properly accommodated in that tunnel. The only regulation is that they must be covered, so that coal dust shall not be scattered all through the tunnel. The tunnel itself was built at a cost of \$19,000,000 and is losing several hundred thousand dollars a year, in addition to the loss on these ferries. The two facilities are competing with and duplicating each other. That duplication is unnecessary for the business being carried on. With these two boats sold, there will still be two active boats, quite enough for the traffic now being offered. I hope, therefore, that the matter will be taken up at this time and settled, and that the motion to further assign to next week will be killed.

Coun. AGNEW—Mr. President, extreme credit should be given to Councilor Irwin by the people of his district for the strenuous fight he has made in this Council to retain these ferryboats. This matter has been in our body for six weeks, and Councilor Irwin has been the only one from the entire district of East Boston, so far as the Council is concerned, who up to today has shown any interest in these ferryboats being retained by the city. Accordingly, giving all due credit to the strenuous efforts made by Councilor Irwin on behalf of East Boston, I do feel that this is a matter which has been in the City Council for six weeks, and that these business men from East Boston, who as business men might be supposed to show business acumen, have now come in at the last minute and are asking this Council belatedly for consideration. Where were they a week ago, or two weeks ago, or a month ago, when Councilor Irwin was making the fight for these ferryboats alone? As business men, they are supposed to have sufficient business acumen

to attend hearings upon matters in which they are interested, and to render assistance to their councilor. They have had sufficient opportunity to do that and have not availed themselves of it. They did not appear here even one week ago today to support Councilor Irwin's fight. I think the City Council has done all that it can be expected to do, in the circumstances, and I do not believe this matter should lie on the table for another week. I do feel that these business men and residents of East Boston should give to Councilor Irwin a strong and hearty vote of thanks for his efforts in behalf of the district.

Coun. WILSON—Mr. President, I think the councilor from East Boston (Coun. Irwin) deserves more than a vote of thanks, and I am very certain, in my own mind, that the gentlemen who appeared here today are entitled to more than a vote of thanks. While I know that Councilor Agnew intended to make a statement exactly in accordance with the facts, I do not feel that he did so. I do not think that his statement was quite fair. I don't think it was fair to say that this matter has been in the Council for a period of five or six weeks, that it has been thoroughly discussed, and that a delegation of East Boston business men, to my mind a very proper and dignified delegation, was belated in its action. I, for one, had no time to properly consider or discuss the order previous to last week, at which time the matter did come up and Councilor Irwin not only made the fight we would expect any councilor to make for his ward, if he is wide awake, but, in addition to the fight, he also submitted what seemed to me a fair proposition for us to accept, that one out of the two boats be sold. I speak against the order as it stands with some degree of doubt. Offhand, I personally might have been in favor of the sale of the two ferryboats, because I believe the Mayor of Boston is laboring under great difficulties, and I for one wish to vote for measures of economy. I was in favor of such measures before he became Mayor. I frankly admit, however, that I have been deeply impressed by the arguments advanced by the delegation of business men who came here from East Boston today. I heard last week what I believed to be Councilor Irwin's unanswerable point, to the effect that instead of there being a saving of over \$200,000 by the sale of these two ferryboats, since forty-nine men on the pay roll of the four boats now in operation are to be retained, the total saving through the sale of both boats cannot possibly exceed \$70,000. I was very much impressed today by the arguments of the gentlemen who appeared here. I believe, of course, that the city is losing money through the operation of the ferries, and I strongly believe that the ferries should not on a price basis be in direct competition with the tunnel. I believe the rates for motor vehicles in the tunnel and on the boats should be the same, so that that competition would be wiped out. But I believe also that we might as well close down the ferries and sell all four boats as to paralyze and cripple the ferry service to the point where it will be useless from a business man's point of view. I certainly cannot agree that the business men should have come in here last Monday. I understand that they have made every effort to communicate with the Mayor. I realize that at this time of year the Mayor is overburdened with work, but I believe that any citizen of the city is entitled to speak to the chief executive on something that may well mean the bankruptcy of two of three large business concerns in East Boston, concerns in which I have no direct interest one way or the other. I think, however, that they are entitled to speak to the Mayor. They are over twenty-one, the same as we are. We all know, as a practical proposition, that it is almost impossible to prevent the passage by the Council of any order in which the Mayor is interested, so, naturally, these men wish, properly, to present the facts to the Mayor. If the Mayor could ascertain the facts in the next week or ten days, through these men, I believe he would be impressed as I am with the arguments that have been advanced today. I believe, therefore, that these people should be given an opportunity to talk with the chief executive. I believe that there will be no snapping of the whip. I realize that any chief executive, whether in a rough or a gentle manner, puts on the pressure in any matter in which he is interested. But these men should be given an opportunity to see the Mayor on this matter. I trust that that opportunity will be granted to them. If that opportunity is not granted to the taxpayers and business men, I for one would like to

see the order that we passed last week passed here today, for the sale of one of the two boats. I do feel that we should not act hastily. I think the gentlemen who appeared before us today presented excellent arguments in favor of the position they took. In acting upon this matter we should not merely consider the depressed times in which we now live. It is reasonable to assume that in the better times which we all hope will ultimately come, East Boston will hold a valuable position on our waterfront, where such concerns as the City Fuel and the Cunard Docks and others are now located. It may reasonably look forward in the future to an increased use of its waterfront, and an improvement in its business, and two ferryboats, of course, will not be able to handle the business. I certainly feel that these business men should be given this opportunity to consult with the Mayor and present their arguments. But if those taking that position are to go down to defeat, I reiterate, as has been brought out in this matter, that there is not such an urgent necessity to save \$70,000 per year, which is all that will be saved, and to cripple the ferryboat service, when the entire personnel of the boats not being used will simply be transferred to some other division of the Public Works Department.

The motion to assign the matter to the next meeting of the Council was declared lost. Coun. WILSON doubted the vote and asked for the yeas and nays.

The motion was lost, yeas 5, nays 14:

Yeas—Coun. Irwin, Kelly, Rosenberg, Taylor, Wilson—5.

Nays—Agnew, Carey, Chase, Englert, Fish, Fitzgerald, Galvin, Harris, Hutchinson, Kerrigan, Lyons, George A. Murray, Shattuck, Sullivan—14.

The question came on Coun. Shattuck's motion to substitute.

Coun. WILSON—Mr. President, I simply wish again to call the attention of the Council to the fact that the passage of the substitute automatically means the sale of the two boats for the prices fixed in the original order and wipes out the fair compromise suggestion of Councilor Irwin, made last week, that for the present one rather than both boats should be sold. I would also urge again that in all fairness the citizens of East Boston should be given a chance to consult with the Mayor, that Councilor Shattuck's amendment should be defeated, and that the sale of not more than one boat should be made at this time.

Coun. Shattuck's motion to substitute prevailed, yeas 16, nays 3:

Yeas—Coun. Agnew, Carey, Chase, Englert, Fish, Fitzgerald, Galvin, Harris, Hutchinson, Kerrigan, Lyons, George A. Murray, Peter A. Murray, Rosenberg, Shattuck, Sullivan—16.

Nays—Coun. Irwin, Kelly, Wilson—3.

The substitute order (now being the order originally submitted to the Council by the Mayor) was passed, yeas 16, nays 3:

Yeas—Coun. Agnew, Carey, Chase, Englert, Fish, Fitzgerald, Galvin, Harris, Hutchinson, Kerrigan, Lyons, George A. Murray, Peter A. Murray, Rosenberg, Shattuck, Sullivan—16.

Nays—Coun. Irwin, Kelly, Wilson—3.

RESURFACING NAPIER PARK, WARD 13.

Coun. HUTCHINSON offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Napier park, Ward 13.

Passed under suspension of the rule.

CONVENIENCE STATION, COLUMBIA ROAD.

Coun. HUTCHINSON offered the following: Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to keep open the Convenience Station located on Columbia road, near Uphams Corner, as a public necessity.

Passed under suspension of the rule.

RESURFACING 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 Evelyn and Clarkwood streets, Ward 14, under the W. P. A. plan of construction.

Passed under suspension of the rule.

PAYMENT TO MRS. RITA SHEA.

Coun. GALVIN offered the following: Ordered, That the City Hospital Trustees be requested, through his Honor the Mayor, to make the necessary arrangements for the payment to Mrs. Rita Shea of the vacation money due her late husband, James Shea, while an employee of the hospital during 1937.

Passed under suspension of the rule.

SPRING CLEANING OF STREETS.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to inaugurate an early program for spring cleaning of streets and avenues of Boston and if necessary to do this work as a W. P. A. project.

Passed under suspension of the rule.

Adjourned, on motion of Coun. HARRIS, at 4.57 p. m., to meet on Monday, April 11, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 11, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Chase, Dowd, Fitzgerald, Norton, Wilson

ANNUAL LIST OF MINOR OFFICERS.

The following was received:

City of Boston,

Office of the Mayor, April 11, 1938.

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, 1938. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1938.

Respectfully,
MAURICE J. TOBIN, Mayor.

(The list of persons appointed is contained in City Document No. 44.)

Laid over for one week under the law.

ANNUAL LIST OF CONSTABLES.

The following was received:

City of Boston,

Office of the Mayor, April 11, 1938.

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, 1938, authorized to serve civil process upon filing bond.

The commissions of all constables not named herein expire on April 30, 1938, and such constables are hereby removed from office from and after May 1, 1938, for the good of the service.

Respectfully,
MAURICE J. TOBIN, Mayor.

Authorized to Serve Civil Process upon Filing Bonds.

John J. Adams, 915 Hyde Park avenue, Ward 18; William A. Amsie, 24 South Munroe terrace, Ward 16; Henry Atwood, 25 Dalrymple street, Ward 11; Samuel C. Baker, 44 Quincy street, Ward 12; David Belson, 66 Colborne road, Ward 21; Joseph L. Bennett, 20 Decker street, Ward 12; Carl Birger Berg, 301 Norfolk street, Ward 17; Alfred Blaustein, 23 Fernboro street, Ward 14; Eugene Blinderman, 116 Greenwood street, Ward 14; Abram Bornstein, 1 Sunderland street, Ward 12; George A. Borofski, 213 Chestnut Hill avenue, Ward 22; Thomas F. Brett, 15 Malta street, Ward 18; Harold A. Brewster, 93 Roxbury street; Ward 9; Charles B. Broad, 94 Corey road, Ward 21; Milton Jacob Bronstein, 87 Devon street, Ward 14; George W. Brooker, 121 Williams street, Ward 11; Francis E. Brown, 11 Tacoma street, Ward 18; Warren A. Brown, 107 Glenville avenue, Ward 21; Louis Budd, 23 Stowe road, Ward 18; William J. Callaghan, 25 Mendum street, Ward 20; 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. Carnody, 10 Aberdeen street, Ward 21; Thomas C. Carr, 196 Savin Hill avenue, Ward 13; Michael J. Clifford, 14 Isabella street, Ward 5; William K. Coburn, 116 Englewood avenue, Ward 21; Sydney Cohen, 151 Woodrow avenue, Ward 14; John M. Crawford, 27 Washington street, Ward 2; Henry G. Dahlquist, 1743 Dorchester avenue, Ward 16; Charles M. Daley, 587 Columbia road, Ward 13; John J. Dount, 68 Adamson street, Ward 22; William Davis, 60 Cheney street, Ward 12; Americo A. DeSimone, 451 Meridian street, Ward 10; John J. Dillon, 32 Francis street, Ward 10; Robert E. Donlan, 55 Penfield street, Ward 20;

Walter A. Donlan, 9 High View avenue, Ward 20; George H. Evans, 80 Clifford street, Ward 12; Thomas Freedman, 7 Iola street, Ward 14; Frederick J. Galvin, 62 Tower street, Ward 11; Paul R. Gast, 98 St. Rose street, Ward 11; Lewis Gilbert, 21 Schuyler street, Ward 12; Francis W. Gildea, 22 Francis street, Ward 10; Howard E. Giroux, 63 Baldwin street, Ward 2; Louis Goldberg, 12 Verrill street, Ward 14; Samuel Goldkrand, 27 Howland street, Ward 12; Marks Goldstein, 31 Hiawatha road, Ward 18; Meyer Goldstein, 1398 Commonwealth avenue, Ward 21; Samuel Gordon, 12 Leverett street, Ward 3; Solomon Gorfinkle, 228 Seaver street, Ward 12; Sears H. Grant, 645 Beacon street, Ward 5; Salvatore Grassa, 791 Saratoga street, Ward 1; William C. Gregory, 98 Lake street, Ward 22; John F. Halligan, 460 Quincy street, Ward 15; Abraham M. Hecht, 59 Lorne street, Ward 14; Richard Hegarty, 20 Fairmount street, Ward 17; Joseph Herman, 93 Lucerne street, Ward 14; Charles Horowitz, 540 Warren street, Ward 12; John H. Howard, 472 Gallivan Boulevard, Ward 16; Jacob Isgur, 82 Lorna road, Ward 18; Max Jacobs, 49 Chambers street, Ward 3; Benjamin Jacobson, 2035 Commonwealth avenue, Ward 22; Harry Kahn, 140 Seaver street, Ward 12; David B. Kaplan, 93 Lawrence avenue, Ward 14; Bronis Kontrim, 120 Marine road, Ward 7; Mark H. Krafsur, 447 Norfolk street, Ward 14; Nathan Kravitsky, 306 Washington street, Ward 14; Abraham Krinsky, 68 Johnston road, Ward 14; Alfonso Lambiase, 166 Huntington avenue, Ward 4; Abraham Landfield, 5 Leston street, Ward 14; Frank F. Lane, 41 Edgerly road, Ward 5; Maurice Levine, 109 Erie street, Ward 14; Philip E. Lieberman, 27 McLean street, Ward 3; Anthony Luongo, 9 Breed street, Ward 1; Frank J. Macchia, 4 Charter street, Ward 3; Salvatore Maffei, 125 Faywood avenue, Ward 1; Leslie P. Mann, 13 Haviland street, Ward 4; Isie Martin, 12 Ashton street, Ward 14; John A. May, 50 Tonawanda street, Ward 17; John T. McGovern, 34 Worcester square, Ward 8; Timothy J. McInerney, 43 Iroquois street, Ward 10; William P. Miles, 11 Groom street, Ward 7; Harold C. Mitchell, 274 Brookline avenue, Ward 4; Bernard M. Mullen, 90 Homer street, Ward 1; John J. Murphy, 80 Sanborn avenue, Ward 20; Edward Ober, 95 Nightingale street, Ward 14; Michael W. Ober, 33 Hazleton street, Bert Oppenheim, 1715 Commonwealth avenue, Ward 21; Louis H. Oppenheim, 7 Mt. Hood road, Ward 21; Frederick Partridge, 107 W. Cottage street, Ward 8; Nachman Perlman, 951 Blue Hill avenue, Ward 14; James G. Peters, 107 Sawyer avenue, Ward 13; Phillip S. Phillips, 929 Blue Hill avenue, Ward 14; George N. Pierce, 295 Dudley street, Ward 8; Leonard M. Pike, 54 Wilmington avenue, Ward 17; Max Rabinovitz, 36 Wilder street, Ward 14; Louis Richmond, 111 Waumbek street, Ward 12; Oscar G. Ridlon, 87 Roxbury street, Ward 9; Benjamin Rosengarten, 130 Devon street, Ward 14; William T. Rosengarten, 165 Columbia road, Ward 14; Alfred Rudin, 21 Wales street, Ward 14; Albert M. Sacks, 19 Brenton street, Ward 14; Alfred N. Sarno, 22 Juniper street, Ward 9; Almerindo Sarno, 1 Cedar square, Ward 9; Frederiek J. Sarno, 1 Cedar square, Ward 9; Samuel Shain, 36 Fessenden street, Ward 18; Frank Shaw, 3 Stockton street, Ward 17; 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; Abraham S. Singer, 9 Lawrence avenue, Ward 14; Henry J. D. Small, 14 Windermere road, Ward 13; Leon Small, 72 Elm Hill avenue, Ward 12; Clifford L. Smith, 123 Maxwell street, Ward 17; Paul Stangato, 185 Endicott street, Ward 3; Frank J. Starla, 227 Wood avenue, Ward 18; Jerome Suvalla, 19 Owen street, Ward 18; Benjamin J. Tackeff, 52 Columbus road, Ward 14; Samuel Tarle, 360 Walnut avenue, Ward 12; 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, 67 Worcester street, Ward 9; Aher Uekerman, 161 Intervale street, Ward 14; Ronan J. Vasil, 11 Granada avenue, Ward 18; Harry A. Webber, 167 Huntington avenue, Ward 4; Frank F. Wennerstrand, 219 Belgrade avenue, Ward 20; Andrew L. Wessing, 11 Larkhill road, Ward 20; Sidney Williams, 13 Montrose street, Ward 12; John A. Wragg, 62 Shepton street, Ward 16; Louis Yacker, 1071 Blue Hill avenue, Ward 14; Maurice Zeeman, 1156 Commonwealth avenue, Ward 21.

Laid over to the next meeting under the law.

SUBMISSION OF BUDGET.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1938.
To the City Council.

Gentlemen,—It was my intention to submit today the annual budget for the year 1938.

The total appropriation figure arrived at after considerable study and preparation did not, however, satisfy my desire to reduce budget requirements to the absolute minimum figure.

I am, therefore, giving the budget requirements further and final study, and will be prepared to submit the budget to your Honorable Body during the current week.

In view of the fact that next Monday precedes a legal holiday, and, consequently, doubtful that your Body will meet on that day, I would request that you adjourn today to meet again on Wednesday, April 13, at 2 p. m., at which time I will present the budget for the year 1938.

Respectfully,
MAURICE J. TOBIN, Mayor.

Placed on file.

THE NEXT MEETING.

Coun. AGNEW—Mr. President, I move that when we adjourn today it be to meet on Wednesday of this week at 2 p. m.

Coun. Agnew's motion was carried.

PETITIONS REFERRED.

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

Claims.

Helen G. Burnett, for compensation for damage to property at 11 Blackwell street, caused during sewer construction.

Walter M. Clark, for compensation for damage to car by city wagon.

Mary E. Corliss, to be paid for electric wiring damaged during replacement of sidewalk.

Dorothy T. Fisher, for compensation for injuries caused by an alleged defect at 103 Poplar street, Roslindale.

Sally Freedman, for compensation for damage to property at 234 Quincy street, Roxbury, caused by clogging of main sewer.

Jane Edith Goff, for compensation for damage to coat caused by an alleged defect in City Hall Annex.

Dr. J. E. Lanigan, for compensation for loss of golf clubs, etc., at Franklin Park locker building.

Frank L. Legnard, for compensation for damage to car caused by truck of Park Department.

William P. McNulty, to be reimbursed for judgment issued against him.

Manuel E. Perry, for compensation for injuries caused by an alleged defect in Dorchester street.

Anita Snyder, for compensation for injuries caused by an alleged defect at Intervale street and Blue Hill avenue.

Harris Z. Waldman, for compensation for injuries caused by city car.

APPOINTMENT BY THE MAYOR.

Notice was received of the appointment by the Mayor of Herman L. Bush, 2 Hutchings street, Roxbury, Soldiers' Relief Commissioner, for term ending April 30, 1942.

APPOINTMENT OF SCHOOL BUILDINGS COMMISSIONER.

Notice was received from the Board of Commissioners of School Buildings of appointment of William Lee as member of Board of Commissioners of School Buildings to fill the unexpired term of Francis R. Bangs.

Placed on file.

APPOINTMENT OF JAMES H. FLANAGAN.

Notice was received from the Secretary of the Commonwealth of appointment of James H. Flanagan of Boston as member of Finance Commission for term ending July 17, 1938.

Placed on file.

MANAGER OF WHITE FUND.

A copy was received of the vote of the trustees of the George Robert White Fund, dated April 5, 1938, electing Joseph F. O'Connell to be Manager of the real estate held by the Fund.

Placed on file.

ABOLITION OF WATER INCOME DIVISION.

The following was received:

City of Boston,
Public Works Department, April 7, 1938.
W. J. Doyle,

City Clerk, Boston.

Dear Sir,—I inclose for the records of your office a copy of the permission given by his Honor the Mayor to me, to abolish the Water Income Division and to combine the activities of that division with the Water Division, under the jurisdiction of Daniel M. Sullivan, Division Engineer,

Yours very truly,
E. M. RICHARDSON,
Commissioner of Public Works.

Accompanying the above was copy of following letter to the Mayor:

City of Boston,
Public Works Department, April 4, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—With the permission of your Honor, I will this day abolish the Water Income Division as a separate division of the Public Works Department, and the work incumbent on this division will be taken over by the Water Division, under the jurisdiction of Daniel M. Sullivan, Division Engineer, with salary at the rate of \$6,000 per year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Approved April 4, 1938.

MAURICE J. TOBIN,
Mayor of Boston, Mass.
Placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor April 4, 1938, of Merton D. Streeter, Charles Parrott, Peter Melver, Arthur Kerrigan, Reginald Johnson, to be Weighers of Coal; and Martin J. Rush, to be Weigher of Beef.

The question came on confirmation. Committee, Coun. Sullivan and Irwin. Whole number of ballots 13; yes 13, and the appointments were confirmed.

LOAN FOR SEWERAGE WORKS.

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

2. Ordered, That under the provisions of section one of chapter one hundred and seventy-eight of the Acts of nineteen hundred and thirty and section five of chapter two hundred and twenty-four of the Acts of nineteen hundred and thirty-six the sum of four hundred and fifty thousand dollars (\$450,000) be, and the same is hereby, appropriated, to be expended, under the direction of the Commissioner of Public Works, for the construction of 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 March 28, 1938, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

CLOSING OF CITY HALL ON GOOD FRIDAY.

Coun. GALVIN offered the following:

Ordered, That his Honor the Mayor be requested to close City Hall between the hours of twelve and three p. m. on Good Friday, April 15, 1938.

Passed under suspension of the rule.

RESURFACING 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 pavement Mountain avenue, Ward 14, under the W. P. A. plan of construction.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Boyden street, Ward 14, under the W. P. A. plan of construction.

Severally passed under suspension of the rule.

LEAVE OF ABSENCE FOR JEWISH EMPLOYEES.

Coun. ROSENBERG and TAYLOR offered the following:

Ordered, That his Honor the Mayor be requested to instruct all department heads to allow leave of absence without loss of pay to all employees of Jewish faith on April 16 and 17, 1938, in observance of the Jewish holidays.

Passed under suspension of the rule.

NAMING OF SQUARE.

Coun. GEORGE A. MURRAY, for Coun. Dowd, offered the following:

Ordered, That the square located at the junction of Massachusetts and Harrison avenues be named John J. Dowling square, after the late Dr. John J. Dowling, war veteran and late Superintendent of the Boston City Hospital.

Passed under suspension of the rule.

ACCEPTANCE OF ISLAND STREET.

Coun. GEORGE A. MURRAY, for Coun. Dowd, offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept that part of Island street, Ward 8, between Gerard street and Massachusetts avenue as a public highway.

Passed under suspension of the rule.

MEMORIES OF CITY HALL.

Coun. SULLIVAN—Mr. President, I ask unanimous consent to have placed in the minutes an article published by R. J. Sawyer, Jr., staff writer of the *Christian Science Monitor*, published in the *Christian Science Monitor* under date of March 26, entitled "Tottering of City Hall Stirs Memories of Past."

There being no objection on the part of the members, the article referred to was ordered included in the minutes, as follows:

"TOTTERING OF CITY HALL STIRS MEMORIES OF PAST.

According to a popular anecdote at City Hall, the Mayor usually knows when the City Council is unduly excited because the floor of the Council Chamber trembles and sways, sending its discomfiting tremors all over the seventy-three-year-old building. The story is almost plausible.

In recent years building inspectors have been openly apprehensive as to the structural safety of the upper floors of City Hall, especially the fourth and fifth. As a result, a movement in support of a new City Hall for Boston temporarily gained considerable momentum. But the plan met with rebuffs during the Curley and Mansfield administrations. Meanwhile, no steps were taken to strengthen the unstable pillars and timbers.

Not until heavy chunks of plaster crashed from the ceiling of the chamber directly in front of the desk of the councilor from East Boston (fortunately the Council was not in session) was anything done. This was last December and the Council promptly moved to Faneuil Hall, the first City Hall in Boston.

Shortly after Mayor Maurice J. Tobin became familiar with the situation, he announced that

\$100,000 would be spent to repair the building. The work will be carried out as a W. P. A. project and will commence in about two weeks. If present plans are followed the interior of the old building will be considerably altered. Consequently, many city officials believe that at least ten more years will pass before Boston gets a new City Hall.

Awakens Fond Memories.

Probably it has been many years since the present structure was admired as an architectural achievement, but the talk of change, of remodeling offices, reconstructing floors and of demolishing the old Aldermanic Chamber adjacent to the Mayor's office, and now used by the City Planning Board, creates a surprising amount of sentiment for this old 'monument of the Civil War period.'

As the impending changes have been more widely discussed in the past few days, there have been frequent references to the history of both the present City Hall and its predecessors. There are few today who can recall the present structure at the time of its completion, resplendent in its florid elegance. Its type of architecture is designated by a City Council report of 1866 'as the Italian Renaissance, modified and elaborated by the taste of the French architects of the last thirty years.' But the history of Boston's town and city halls goes back 200 years prior to this.

For nearly thirty years after its settlement Boston was without a town hall or town house, as it was called then. The first town house was built on the site of the present Old State House in the years 1657 to 1659. This was at the head of State street, in those days called King street, 'The Great Highway to the Sea.'

Built by Contributions.

This wooden building was built by contributions from 122 inhabitants. A Capt. Robert Kayne (Keayne) left a legacy of £300 in his will for such a purpose, and to this sum was added an additional £380 'principally in goods' by public contribution. Captain Kayne, the first commander of the Ancient and Honorable Artillery Company, resided on King street, not far from where the first town house was built.

Samuel Adams Drake, in his book 'Old Landmarks and Historic Personages of Boston,' recalls that as a merchant and tailor, Captain Kayne 'fell under the censure of court and church for selling his wares at exorbitant profits. . . . His will, of nearly 200 pages, is devoted largely to an effort to relieve himself of this charge.'

This town house, so heavily endowed by Captain Kayne, was continuously used from its completion in 1659 until it was consumed in the great fire of 1711. In 1712 another town house, of brick, was built on the same site. This was also destroyed by fire, in 1747, together with 'ancient books, early records and other valuable papers.' In 1748 the Old State House was built.

Meanwhile, in 1742 Faneuil Hall had been erected and from that year until 1822, a period of eighty years, was continually used as a town house, furnishing quarters for the selectmen, town clerk and town officers. Mayor Joseph M. Wightman, who laid the cornerstone of the present City Hall, once referred to Faneuil Hall as the 'first actual town house.'

Faneuil Hall Officially First.

On Wednesday, May 1, 1822, when the town was reorganized as a city, Faneuil Hall became Boston's first City Hall. It was used for this purpose for eight years until the Old State House was remodeled and dedicated as 'City Hall' on September 17, 1830.

This was the 200th anniversary of the founding of Boston, when the 'Court of Assistants of Massachusetts Bay, then sitting at Charlestown, acting under a charter granted by Charles the First, ordered that this peninsula, which had heretofore been called Shawmut and Trimountain, should take the name of Boston.'

Within eight years, quarters at the Old State House proved insufficient and a movement was started to build a new City Hall. A plan presented by the Mayor and Aldermen at that time was overruled by the Common Council. Finally, in July, 1840, it was agreed to alter the Old Court House on School street.

Accordingly, this granite building, built in 1810 on land acquired by the town from Thomas Scott in 1645, was suitably fitted out as City Hall at an

expense of \$14,475. To that site—where Benjamin Franklin once played as a schoolboy—the city government was moved in March, 1841.

Started With \$160,000.

Within five years after the Old Court House was occupied, 'its restricted accommodations became quite apparent.' By 1850, and by each succeeding city government, the need for a new City Hall was emphasized and efforts were made to have plans approved and pass necessary legislation for its erection.

It was no surprise to the city, therefore, when Mayor Wightman, in his inaugural address in 1861, again expounded upon the need for a new City Hall; and the approval of a plan of construction and passage of an order appropriating funds—to be borrowed at the direction of the City Treasurer—totaling \$160,000 for the building, early in the summer of 1862, was hailed as a proper step.

In December of that year, the eve of his retirement from office, Mayor Wightman laid the corner stone of the new building. According to a description of the ceremonies, Most Worshipful William D. Coolidge, Grand Master of the Grand Lodge of Masons in Massachusetts, struck the cornerstone three times with his gavel and said:

'I find this foundation stone well laid, true and trusty, and in conformity with the plan, in peace, love and harmony.'

Ultimately Cost \$505,191.

Then other officials of the Lodge poured corn, wine and oil upon the stone and appropriate benedictions were given to signify that 'all the necessities of life abound among this people.' Forthwith the whole gathering joined in singing 'Old Hundred' and the ceremony was all but over. This was December 22, the 242d anniversary of the landing of the Pilgrims at Plymouth.

During the next three years the Old Court House was demolished and the new City Hall erected. For that period the city government was located in the old Mechanics Building at the corner of Bedford and Channey streets.

The new building was built of granite, quarried in Concord, N. H., from the 'celebrated Rattlesnake Ledge.' As work progressed, it was soon apparent that the \$160,000 appropriated would not be sufficient. Additional appropriations were made as needed and the total cost of construction and furnishings rested at \$505,191. But, although the cost of the building was the 'subject of remark in one or two of the public journals,' the new structure was defended for its solid construction and fireproof floors.

Dedicated September 17, 1865.

On September 17, 1865, the 235th anniversary of the city and just thirty-five years after the city government moved into the Old State House, the new City Hall was dedicated 'at 12 o'clock M.' by a joint convention of both branches of the City Council in the Council Chamber—the very room which sways and sags today.

In his inaugural speech, Mayor Frederic W. Lincoln, Jr., included a passage that has and probably will be frequently quoted. He said:

'No single thing affords a better illustration of the character of the people of Boston than their long continued love for a democratic form of municipal organization. It was only when the population became so large that their interests suffered materially by the old customs, that they would consent to delegate the powers of the local government to a limited number of their own fellow citizens.'

'A watchful and jealous scrutiny of the conduct of their official servants is still a marked characteristic, of Boston, and woe will befall our city when the great body of her citizens ceases to take an interest in her public affairs.'

Did Not Wear Well.

In the City Council report of 1866, the new building is described as: 'the most elaborate and conspicuous, as well as the most important, of the municipal structures of Boston,' presenting 'a striking addition to the public edifices of the city . . . grand and imposing in appearance.'

But this appreciation of City Hall did not last, for Edwin M. Bacon recalls that while 'its effect was at first pleasing, it soon palled upon the public taste.' And today most passers-by on School street express wonder that the city should have approved the plans at all.

Now the building is regarded as a dreary, worn-out edifice and some taxpayers avoid entering the building. But for all its drabness, it is still one of the most important buildings in the city. Many feel that after the changes now contemplated are made and after its interior is given a coat or two of paint, its appearance can be improved. Frequently suggestions come to the Mayor's office that what the building most needs is an aggressive head janitor who will keep it clean!

According to Mayor Tobin's office, as soon as the W. P. A. project is completed next summer, some such plan for cleaning the building, and keeping it clean, may be worked out."

REPLACING OF GAS LAMPS, WARD 10.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace the present gas lamps on Alleghany street, Ward 10, with modern electric lights.

Passed under suspension of the rule.

CONSTRUCTION OF SIDEWALKS.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Alleghany street, both sides, Ward 10, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of 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 Terrace street, both sides, Ward 10, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

CONDITIONS AT COLEMAN'S LEDGE.

Coun. CAREY offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to make an investigation of the property located at the junction of St. Alphonsus, Calumet and Tremont streets, Ward 10, which property is familiarly known as "Coleman's Ledge," with a view to determining what action, if any, can be taken by the City Council or any city department to remedy the conditions existing there which are a menace to the surrounding property and a source of great danger to the children of the neighborhood.

Coun. CAREY—Mr. President, I introduced an order regarding that area a few weeks ago, at which time I asked the Park Commission to have observations made there with a view to the possibility or advisability of the city taking that property over. I have a report from Commissioner Long in which he agrees that the place is a menace to life, and in other ways, and that something should be done about it. As I previously stated, this place, commonly known as Coleman's Ledge, has been a menace to the neighborhood for a great many years. The valuation has declined from approximately \$90,000 in 1930 to \$22,000. The place is being used as a public and private dump. Only last week one evening I noticed a truck from the neighboring town of Brookline dumping rubbish onto the lot. It is costing the City of Boston thousands of dollars each year to protect the homes of hundreds of residents of the district due to the great number of fires that are started there. Park Commissioner Long in his report says that this is one of the most dangerous areas in Roxbury, and it is a menace to public safety. Furthermore, on one evening last fall a little girl no more than ten years old was dragged into the place by two grown men, and after being assaulted ran screaming from there. We must do something for the owners of property nearby this area, not only because of the menace from fire, but to protect

the children of the neighborhood not only from the dangers of falling off the ledge and the menace of falling rocks, but also from the danger of assaults such as that mentioned. In view of the low valuation now on the place, in addition to the other things I have referred to, I trust that the city will find it possible to take over this area and develop it as a playground from W. P. A. funds.

The order was passed under suspension of the rules.

HALF-HOLIDAY FOR CITY EMPLOYEES.

Coun. GALVIN offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of declaring a

half-holiday for all city employees who can be spared on Good Friday afternoon, April 15, 1938.

Coun. GALVIN—Mr. President, I have already introduced an order to close City Hall between the hours of twelve and three on Good Friday, but I understand also that quite a few employees will get through their day's work at three o'clock and that, therefore, there is a possibility of letting some city employees go home for the rest of the day. Therefore, I have introduced this order to apply to those who can be spared.

The order was passed under suspension of the rule.

Adjourned at 3 p. m., on motion of Coun. ENGLERT, to meet on Wednesday, April 13, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, April 13, 1938.

Adjourned meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd and Fitzgerald.

BUDGET FOR 1938.

The following was received:

City of Boston,
Office of the Mayor, April 13, 1938.
To the City Council.
Gentlemen,—I submit herewith in segregated form my budget recommendations for city, county

and revenue departments for the fiscal year 1938. These recommendations are in substitution for the lump sum allowances submitted to you under date of January 31, 1938. The allowances presented in this budget represent, in my opinion, the lowest appropriations possible without seriously crippling the services rendered by the city, and without reducing salaries of city and county employees. With the situation facing the city government, and with the obstacles to be overcome, I believe progress has been made in facing the city towards the day when operating and maintenance expenses may be brought to their desired level. The result of the careful scrutiny given this year's budget, though not productive of immediate and materially lowered costs of government, has, to my mind, stemmed the tide, and will eventually bring about sharp decreases in the expenditures of the city government. I believe this budget is the most carefully prepared and best-balanced budget which, under all the circumstances, could be presented.

GRAND SUMMARY.

| | 1938. Departmental Estimate. | 1937. Allowances. | 1937. Expenditures. | 1938. Allowances. |
|-------------|------------------------------------|----------------------|------------------------|----------------------|
| City..... | \$46,042,656 92 | \$39,766,907 58 | \$39,203,282 64 | \$39,158,812 87 |
| County..... | 4,104,683 56 | 3,668,182 53 | 3,601,538 12 | 3,584,260 32 |
| | \$50,147,340 48 | \$43,435,090 11 | \$42,804,820 76 | \$42,743,073 19 |

Departmental Estimates reduced \$7,404,267.29.
Reduction from 1937 Allowances \$692,016.92.
Reduction from 1937 Actual Expenditures \$61,747.57.

CITY DEPARTMENTS.

| | 1937. Expenditures. | 1938. Allowances. | Increase. | Decrease. |
|------------------------------|------------------------|----------------------|--------------|--------------|
| A. Personal Service..... | \$20,031,598 49 | \$20,027,651 56 | — | \$3,946 93 |
| B. Contractual Services..... | 3,589,815 94 | 3,338,730 10 | — | 251,085 84 |
| C. Equipment..... | 718,819 44 | 633,808 76 | — | 85,010 68 |
| D. Supplies..... | 2,368,769 38 | 2,240,604 90 | — | 128,164 48 |
| E. Materials..... | 358,286 08 | 319,883 64 | — | 38,402 44 |
| F. Special Items..... | 10,420,733 22 | 10,280,738 64 | — | 139,994 58 |
| G. Incidentals..... | 37,202 35 | 30,097 50 | — | 7,104 85 |
| H. Relief Projects..... | 1,115,967 47 | 1,285,168 30 | \$169,200 83 | — |
| Special Appropriations..... | 562,090 27 | * 1,002,129 47 | 440,039 20 | — |
| | \$439,203,282 64 | \$39,158,812 87 | \$609,240 03 | \$653,709 80 |

Net Decrease, \$44,469.77

* Includes \$159,054.47 for Sewerage Works passed by City Council March 28, 1938.

The allowances recommended for city departments total \$39,158,812.87. This total represents a reduction of \$6,883,844.05 from the estimates as originally submitted by department officials last November, and is \$44,469.77 below the total expenditures for the year 1937. In this respect, however, I would like to emphasize the fact that in order to arrive at the total of my budget recommendations it has been necessary to effect economies sufficient to offset \$1,200,000, representing inherited obligations and charges of an emergency nature. The obligations and charges making up this total are described in detail in the following pages.

Under the Boston budget system, appropriations are segregated under nine group headings. The following explanations are offered in connection with the changes indicated in the various groups in the above schedule.

Personal Service.

The Personal Service requirements of the city for 1938 are \$3,946.93 less than the expenditures for 1937. This reduction has been achieved despite the fact that it has been necessary to provide \$539,900 to cover additional personnel requirements resulting from policies inaugurated and put into effect during 1937. The most

important of these policies and the additional amounts required are indicated in the following table:

| | |
|---|-----------|
| 202 patrolmen added during 1937 in Police Department..... | \$105,000 |
| 110 privates added during 1937 in Fire Department..... | 82,000 |
| Additional employees in Hospital Department for new surgical building opened in November, 1937..... | 200,000 |
| Step-rate increases for 973 employees..... | 50,700 |
| Salary adjustments in Library Department resulting from schedules adopted in 1937..... | 91,000 |
| 16 new assistant drawtenders appointed during 1937..... | 11,200 |
| | <hr/> |
| | \$539,900 |

If it had not been necessary to provide for the foregoing additional requirements in the 1938 budget, appropriations for Personal Service would have reflected a gross reduction of close to \$600,000. The savings in Personal Service which have been secured have been realized by the elimination of practically all vacancies, either now existing or which will arise subsequently through retirements operative under the Boston Retirement System. This achievement indicates, I believe, the practical value of permitting personnel vacancies to remain unfilled wherever this can be done without jeopardizing the health and safety of the people. While it may be said that the initial savings under this policy are relatively small, the beginning which has been made clearly indicates the possibility of substantial savings in this direction over a period of years. By strictly adhering to this policy I hope to be able to maintain existing salary schedules and also to avoid a forced reduction in the number of city employees. Sliding scale increases have been provided in my budget recommendations for all persons entitled to such increases and whose present compensation is not in excess of \$2,100 per annum. Under existing economic conditions this maximum would appear to represent a reasonable limit beyond which salary increases should not be provided.

Contractual Services.

Appropriations under this group when compared with expenditures in 1937 reflect a net reduction of \$251,085.84. It is interesting to note that the total of appropriations recommended in this group is the lowest since 1923. Economies under this group have been effected in practically every branch of the city service. Among the most outstanding savings may be listed the following:

Sanitary Service, Public Works Department—\$70,000.

(Due to lower contract removal prices and to smaller recourse to privately owned contract equipment for city service.)

Lighting Service, Public Works Department—\$17,000.

(Due to rearrangement in city lighting facilities.)

City Documents—\$15,000.

(Anticipated to be secured through revision in the form and content of departmental reports.)

Ferry Service, Public Works Department—\$13,000.

(Resulting from curtailment of existing ferry schedules.)

Equipment.

Appropriations under this group reflect a reduction of \$85,010.68 from expenditures for the past year. The total of the group represents the lowest appropriation to be made in recent years, and is roughly 50 per cent of the equipment appropriation included in the budget of 1926. Appropriations within the various departmental budgets have been limited to urgent requirements only.

Supplies.

Appropriations under this group reflect a reduction of over \$128,164.48 from expenditures of 1937. It is significant, I believe, that this saving has been secured despite the opening of the new surgical building at the City Hospital and the accompanying increase in the number of patients for whom subsistence and medicinal supplies must be provided. The saving indicated in this group may be attributed primarily to better supervision

over the purchasing and consumption of departmental and institutional supplies.

Special Items.

Appropriations under this group cover expenditures for public welfare, soldiers' relief, non-contributory pensions and workmen's compensation, items over which I have little, if any, control. From the nature of the items it must be evident that an exact determination of appropriations cannot be made. Because of this fact I have deemed it expedient to limit appropriations for the various items in this group to amounts equal approximately to last year's expenditures. I appreciate that in the light of the experience of the first three months of the current year that it would appear as though expenditures for welfare during 1938 might be materially in excess of last year's expenditures. I am optimistic, however, that under the extended W. P. A. program of the Federal Government it will be possible to secure opportunities for employment for many persons who were on the relief rolls of the Welfare Department in the early months of the current year. It is my purpose to insist that the city shall receive the full benefits to which it is entitled under the W. P. A. program. I hope in this manner to reduce welfare rolls and thus offset the material increase reflected during the early months of the current year. If ultimately it should develop that the appropriations recommended in this budget are not adequate to cover the needs of the Welfare Department, the additional amounts required may be secured by borrowings in conformity with legislative enactment.

Relief Projects.

The appropriations in this group are intended to cover expenditures by city departments for equipment, rentals, supplies and materials required on W. P. A. projects. This year's group appropriation reflects an increase of \$169,200.83 over similar expenditures of last year. In addition, unexpended loan balances have been carried forward from 1937 in the amount of \$118,122.53. With this carry over and the increase in actual appropriation, departments will have available \$287,000 in excess of last year's expenditures. During the first quarter in 1937 the Federal Government supplied \$510,492.78 for materials and supplies used on various projects. In the first two months, according to official estimates, only \$47,000 for materials and supplies was furnished by the Federal Government. This represents roughly a Federal contribution for materials and supplies for W. P. A. projects of \$1.00 per man employed per month as against \$5.00 per man per month in 1937. I am sanguine, however, that because of the financial condition of the city it may be possible to induce Federal authorities to assist the city by supplying materials and supplies, at least on projects involving the construction of public works. If I am successful in this respect, the appropriation recommended should cover this year's requirements. Otherwise, additional appropriations may be necessary before the end of the year. Under existing law, it will be possible to provide these additional appropriations, if necessary, by borrowing.

Special Appropriations.

The several appropriations under this group reflect a total increase of \$440,039.20 over similar expenditures of the previous year. The largest increase is found in the appropriation for Snow Removal. In 1937, due to a very mild winter, it was unnecessary for the first time in the city's history to provide for this function. The storms which occurred in the early weeks of this year occasioned an expense of, roughly, \$230,000. The appropriation for the Contingent Fund is about \$700 in excess of expenditures charged against this fund in 1937. Based on the experience of many years, this allowance should be sufficient. A new appropriation of \$50,000 has been allowed in this year's budget for Street Reconstruction. It is planned to use this appropriation to match one similar in amount by the Commonwealth for the purpose of reconstructing Chelsea street in East Boston and that section of Beacon street in Brighton adjacent to the Newton line. An increase of \$35,000 in the appropriation for Bridge Repairs has been allowed in this year's budget in order to cover primarily the emergency condition existing in the Warren Bridge.

COUNTY DEPARTMENTS.

| | 1937. Expenditures. | 1938. Allowances. | Increase. | Decrease. |
|------------------------------|------------------------|----------------------|-------------|-------------|
| A. Personal Service..... | \$2,475,060 67 | \$2,511,801 40 | \$36,740 73 | — |
| B. Contractual Services..... | 629,396 89 | 601,249 05 | — | \$28,147 84 |
| C. Equipment..... | 59,701 93 | 55,203 34 | — | 4,498 59 |
| D. Supplies..... | 306,770 23 | 285,784 04 | — | 20,986 19 |
| E. Materials..... | 29,161 45 | 25,033 11 | — | 4,128 34 |
| F. Special Items..... | 80,844 11 | 82,794 38 | 1,950 27 | — |
| H. Relief Projects..... | 19,574 84 | 21,395 00 | 1,820 16 | — |
| Special Appropriations..... | 1,028 00 | 1,000 00 | — | 28 00 |
| | \$3,601,538 12 | \$3,584,260 32 | \$40,511 16 | \$57,788 96 |

Net Decrease, \$17,277.80

Appropriations for county maintenance show a reduction of \$17,277.80 from expenditures for 1937. The above table indicates in comparative form the group distribution of this reduction.

Although the total county budget allowances for 1938 show a decrease over 1937, it must be borne in mind that this decrease has been achieved despite the fact that sliding scale increases have been provided for all persons entitled to such increases under the County Compensation and

Classification Plan, and whose present compensation is not in excess of \$2,100 per annum. Aside from the Personal Service group, all other groups in the county budget show a reduction from 1937, with the exception of the Special Items group. The principal expenditure under this group in the county budget is for non-contributory pensions. The increase is due largely to the retirement during 1937 of two Justices.

REVENUE DEPARTMENTS.

| | 1937. Expenditures. | 1938. Allowances. | Increase. | Decrease. |
|------------------------------|------------------------|----------------------|-------------|--------------|
| A. Personal Service..... | \$1,342,600 23 | \$1,298,065 86 | — | \$44,534 37 |
| B. Contractual Services..... | 234,428 93 | 244,888 24 | \$10,459 31 | — |
| C. Equipment..... | 34,468 41 | 52,541 38 | 18,072 97 | — |
| D. Supplies..... | 40,836 35 | 43,103 59 | 2,267 24 | — |
| E. Materials..... | 228,829 91 | 198,600 62 | — | 30,229 29 |
| F. Special Items..... | 11,762 85 | 20,222 33 | 8,459 48 | — |
| H. Relief Projects..... | 93,241 57 | 64,517 50 | — | 28,724 07 |
| Special Appropriations..... | 123,735 27 | 118,200 00 | — | 5,535 27 |
| | \$2,109,903 52 | \$2,040,139 52 | \$39,259 00 | \$109,023 00 |

Net Decrease, \$69,764.

Although the revenue departments of the city are self-sustaining and are not provided for in the tax levy, for your information, there is given above a table indicating in comparative form the group distribution.

The total appropriations for these departments show a net decrease of \$69,764 from similar expenditures for 1937, and it is believed that with better supervision and more improved methods, particularly in the Water Service, that the appro-

priations proposed under this head will adequately meet the requirements of the present year.

TAX RATE ESTIMATE.

While the tax rate for the year 1938 will not be declared by the Board of Assessors for approximately two months, it is possible by the use of estimates, based on present day knowledge, to indicate the trend in the tax rate for 1938. The following table indicates the major items entering into the actual rate for 1937, with corresponding estimates for the year 1938:

| | 1937. Actual. | 1938. Estimates. |
|--|--------------------|---------------------|
| Total Appropriations and Warrants..... | \$80,706,811 31 | \$79,051,530 56 |
| Total Revenues and Credits..... | 20,375,879 51 | 18,054,354 59 |
| Net requirements before overlay..... | \$60,330,931 80 | \$60,997,175 97 |
| Overlay..... | 1,223,148 09 | 2,439,887 04 |
| Property Tax Levy..... | \$61,554,079 89 | \$63,437,063 01 |
| Assessed Valuation..... | \$1,590,544,700 00 | \$1,520,000,000 00 |
| Tax Rate..... | \$38 70 | \$41 70 |

A comparison of the two sets of figures discloses the following pertinent facts concerning the tax rate for 1938.

1. Estimated Expenditures will be \$1,643,000 less than in 1937.
2. Estimated Revenues and Credits will be, roughly, \$2,000,000 less in 1938 than in previous years (this reduction due almost entirely to reduced borrowings for maintenance purposes).
3. The 1938 Overlay is, roughly, 100 per cent in excess of the Overlay used in 1937 (pending legislation makes Overlay mandatory 1938).
4. The Assessed Valuations are estimated at an amount \$70,000,000 less than in 1937.

It is not a pleasing prospect to contemplate a tax rate of \$41.70. The city faces such a possibility unless the Legislature makes provision for new sources of revenue which could be used to offset the imposition of an additional burden on the owners of real estate. Sooner or later we must face the fact that municipal government cannot continue to maintain and provide present activities and services on a tax base which imposes 80 per cent to 85 per cent of the direct burden on one form of wealth.

In my Inaugural Address I stated, "that I would face the situation frankly and openly; that I would conduct the city's affairs economically; that I would adopt or introduce any improvements in administration that might result in decreased expense; and that I would use my best efforts to keep the tax rate of our city within reasonable bounds." In the three and one half months which have elapsed since this declaration of principle, I have endeavored in every official action to carry out these pledges. I have considered and weighed the various activities and services performed by municipal departments. I have eliminated and curtailed services which, in my opinion, possessed but a limited degree of value. I have directed that definite improvements in administration be adopted and endorsed in various departments. While the results of my labors to date may not, in so far as this particular budget message is concerned, be productive of material accomplishment, I take satisfaction in the knowledge that the city will get one dollar's worth of value for every dollar spent, and that the ground work is being laid for efficient and economical administration.

Under the provisions of chapter 320 of the Acts of 1889, departments are authorized to expend, prior to the adoption of the budget, one third of the previous year's appropriation. In view of the fact that almost one third of the year has elapsed, I recommend prompt consideration and adoption of the accompanying orders and recommendations by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1938.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of January, 1938, 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 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 the *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, 1937, 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, 1938, and by taxes 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 1938, 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 1938; that interest shall be charged on all taxes remaining unpaid after the first day of November, 1938, in accordance with the provisions of chapter 59, section 57, of the General Laws, as amended, 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, 1938, 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.

Referred to Committee on Appropriations.

DEPARTMENTAL ALLOWANCES RECOMMENDED BY MAYOR FOR 1938 WITH COMPARISON OF 1937 ALLOWANCES, 1937 EXPENDITURES, AND 1938 DEPARTMENTAL ESTIMATES.

CITY DEPARTMENTS.

| DEPARTMENT. | 1938. Departmental Estimates. | 1937. Allowances. | 1937. Expenditures. | 1938. Allowances. |
|--------------------------------|-------------------------------------|----------------------|------------------------|----------------------|
| Art..... | \$1,000 00 | \$1,000 00 | \$757 88 | \$410 00 |
| Assessing..... | 315,390 25 | 301,176 12 | 297,387 55 | 297,154 06 |
| Auditing..... | 91,882 35 | 82,023 14 | 83,673 94 | 83,997 86 |
| Boston Port Authority..... | 49,381 00 | 42,001 00 | 42,014 34 | 39,006 98 |
| Boston Retirement Board..... | 36,721 50 | 32,391 39 | 32,204 71 | 32,997 49 |
| Boston Traffic Commission..... | 236,334 42 | 170,666 34 | 169,318 58 | 158,325 77 |
| Budget..... | 12,988 00 | 11,988 00 | 10,275 66 | 12,382 77 |
| Building..... | 237,396 39 | 217,587 84 | 213,551 88 | 192,922 92 |
| Board of Appeal..... | 16,023 00 | 15,065 00 | 15,026 72 | 10,324 78 |
| Board of Examiners..... | 5,555 00 | 5,315 00 | 5,308 93 | 4,371 63 |
| City Clerk..... | 48,628 88 | 45,345 38 | 44,410 86 | 46,321 22 |
| City Council..... | 87,530 00 | 85,055 00 | 84,892 52 | 85,133 54 |
| City Council Proceedings..... | 11,250 00 | 11,250 00 | 12,678 85 | 11,250 00 |
| City Documents..... | 30,000 00 | 35,000 00 | 31,260 24 | 20,000 00 |
| City Planning Board..... | 38,180 00 | 28,210 00 | 21,031 45 | 18,222 49 |
| Collecting..... | 177,327 20 | 169,186 26 | 165,435 35 | 164,111 53 |
| Election..... | 292,848 06 | 230,668 27 | 233,374 12 | 244,928 79 |
| Finance Commission..... | 50,000 00 | 50,000 00 | 49,621 66 | 50,000 00 |
| Fire..... | 4,431,306 64 | 4,141,727 25 | 4,084,327 54 | 4,024,152 65 |
| Wire Division..... | 105,630 10 | 99,769 57 | 97,622 53 | 93,154 63 |
| Health..... | 1,028,479 39 | 982,858 34 | 973,130 40 | 945,267 80 |
| Hospital..... | 3,878,897 01 | 3,497,058 37 | 3,325,199 74 | 3,367,518 00 |
| Sanatorium Division..... | 812,199 50 | 684,057 85 | 679,001 09 | 639,598 42 |

| DEPARTMENT. | | 1938. Departmental Estimates. | 1937. Allowances. | 1937. Expenditures. | 1938. Allowances. |
|---------------------------------------|---------------|-------------------------------------|----------------------|------------------------|----------------------|
| Institutions: | | | | | |
| Central Office..... | \$51,513 00 | \$46,823 00 | \$46,943 89 | \$46,204 13 | |
| Child Welfare Division..... | 395,824 01 | 373,971 69 | 370,967 83 | 351,558 33 | |
| Long Island Hospital..... | 1,231,537 33 | 835,192 66 | 845,842 08 | 803,871 92 | |
| Steamers "Hibbard" and "O'Meara"..... | 75,600 00 | 64,850 00 | 63,312 03 | 59,370 88 | |
| Law..... | 157,527 20 | 136,494 41 | 138,960 13 | 157,527 20 | |
| Library..... | 1,584,138 39 | 1,296,429 00 | 1,267,066 88 | 1,320,471 30 | |
| Licensing Board..... | 53,976 87 | 50,091 80 | 48,172 06 | 49,966 87 | |
| Market..... | 17,197 67 | 16,122 67 | 16,746 57 | 15,547 45 | |
| Mayor, Office Expenses..... | 79,538 79 | 84,060 00 | 82,763 35 | 77,886 04 | |
| Park..... | 1,704,476 58 | 1,476,932 25 | 1,397,320 68 | 1,290,255 24 | |
| Cemetery Division..... | 143,209 51 | 81,913 73 | 71,815 38 | 69,805 55 | |
| Police..... | 6,351,356 88 | 6,044,300 17 | 6,042,354 57 | 6,022,881 48 | |
| Public Buildings..... | 773,352 45 | 555,258 48 | 536,751 53 | 588,627 86 | |
| Public Welfare: | | | | | |
| Central Office..... | 10,371,813 59 | 10,014,890 61 | 9,955,241 51 | 9,966,318 73 | |
| Temporary Home..... | 11,601 64 | 11,249 00 | 10,460 22 | 10,455 76 | |
| Wayfarers' Lodge..... | 15,203 00 | 15,740 00 | 14,936 21 | 14,499 20 | |
| Public Works: | | | | | |
| Central Office..... | 39,587 00 | 33,927 74 | 33,182 03 | 34,347 57 | |
| Bridge Service..... | 529,926 38 | 435,266 50 | 433,615 14 | 428,259 67 | |
| Ferry Service..... | 372,768 60 | 324,161 68 | 315,817 53 | 272,188 69 | |
| Lighting Service..... | 1,002,117 00 | 981,777 00 | 983,145 67 | 965,000 00 | |
| Paving Service..... | 1,728,129 79 | 1,371,346 33 | 1,368,817 73 | 1,323,787 82 | |
| Sanitary Service..... | 2,909,869 65 | 2,330,227 82 | 2,275,225 61 | 2,125,269 96 | |
| Sewer Service..... | 774,857 34 | 538,548 00 | 531,716 72 | 514,253 00 | |
| Registry..... | 76,006 25 | 73,606 77 | 71,390 62 | 66,794 08 | |

| DEPARTMENT. | 1938. Departmental Estimates. | 1937. Allowances. | 1937. Expenditures. | 1938. Allowances. |
|---|-------------------------------------|----------------------|------------------------|----------------------|
| Sinking Fund | \$2,900 00 | \$3,050 00 | \$2,778 22 | \$2,684 12 |
| Soldiers' Relief | 843,748 16 | 688,840 07 | 662,517 34 | 674,664 28 |
| Statistics | 10,205 00 | 6,150 00 | 6,849 43 | 8,900 13 |
| Street Laying-Out | 192,627 37 | 187,396 84 | 182,026 41 | 166,934 65 |
| Supply | 79,883 74 | 68,365 43 | 66,063 59 | 65,613 01 |
| Treasury | 81,624 94 | 77,825 86 | 76,954 97 | 73,883 35 |
| Weights and Measures | 50,435 63 | 50,171 45 | 49,729 90 | 47,301 80 |
| Special Appropriations: | | | | |
| Bridges, Repairs, etc. | 360,600 00 | 30,000 00 | 64,223 38 | 63,700 00 |
| Contingent Fund | 300,000 00 | 175,000 00 | 294,840 30 | 295,500 00 |
| Conventions and Entertainment of Distinguished Guests | 12,500 00 | 12,500 00 | 8,710 23 | 9,850 00 |
| Public Celebrations | 42,000 00 | 39,000 00 | 42,044 30 | 39,400 00 |
| Real Estate Division, Repairs, etc. | 26,000 00 | 9 000 00 | 9,023 75 | 24,625 00 |
| Reconstruction of Streets | 600,000 00 | — | — | 50,000 00 |
| Reserve Fund | 125,000 00 | 125,000 00 | — | 125,000 00 |
| Sewerage Works | 159,054 47 | 162,026 50 | 140,297 41 | *159,054 47 |
| Snow Removal | 500,000 00 | — | 2,950 90 | 235,000 00 |
| Street Signs | 10,000 00 | — | — | — |
| | \$46,042,656 92 | \$39,766,907 58 | \$39,203,282 64 | \$39,158,812 87 |

* Passed by City Council March 28, 1938.

COUNTY DEPARTMENTS.

| | | | | |
|---|--------------|--------------|--------------|--------------|
| Suffolk County Court House, Custodian | \$307,054 14 | \$283,556 64 | \$268,479 15 | \$264,307 16 |
| County Buildings | 138,376 36 | 106,701 36 | 97,234 83 | 99,136 26 |
| Jail | 273,041 45 | 266,690 25 | 249,015 11 | 248,265 62 |
| Supreme Judicial Court | 69,668 33 | 64,025 34 | 61,374 49 | 61,968 33 |
| Superior Court, Civil Session, General Expenses | 449,347 25 | 418,204 60 | 425,799 36 | 424,400 60 |
| Superior Court, Civil Session, Clerk's Office | 195,013 43 | 190,611 91 | 182,983 36 | 182,983 97 |

| DEPARTMENT. | 1938. Departmental Estimates. | 1937. Allowances. | 1937. Expenditures. | 1938. Allowances. |
|--|-------------------------------------|----------------------|------------------------|----------------------|
| Superior Court, Criminal Session..... | \$560,847 56 | \$484,707 34 | \$491,441 34 | \$488,553 91 |
| Probate Court..... | 40,166 40 | 30,723 89 | 31,283 54 | 29,722 50 |
| Municipal Court, City of Boston..... | 508,922 53 | 487,858 34 | 479,647 49 | 496,926 42 |
| Municipal Court, Charlestown District..... | 35,346 70 | 33,552 03 | 32,761 94 | 32,712 30 |
| East Boston District Court..... | 34,206 19 | 31,907 52 | 31,674 31 | 31,972 38 |
| Municipal Court, South Boston District..... | 36,982 98 | 33,907 56 | 33,694 33 | 34,279 38 |
| Municipal Court, Dorchester District..... | 49,475 71 | 44,159 16 | 45,826 62 | 45,778 16 |
| Municipal Court, Roxbury District..... | 121,962 62 | 102,446 43 | 105,200 20 | 110,147 38 |
| Municipal Court, West Roxbury District..... | 45,912 55 | 39,354 50 | 39,698 07 | 44,104 15 |
| Municipal Court, Brighton District..... | 25,978 80 | 22,456 34 | 22,155 08 | 21,913 00 |
| Boston Juvenile Court..... | 30,980 30 | 29,763 42 | 29,817 32 | 29,465 63 |
| District Court of Chelsea..... | 41,367 53 | 38,862 27 | 38,767 29 | 38,511 59 |
| Registry of Deeds..... | 200,617 80 | 194,078 88 | 188,264 95 | 189,578 39 |
| Index Commissioners..... | 26,307 98 | 25,246 50 | 24,917 60 | 25,844 24 |
| Insanity Cases..... | 38,120 00 | 38,120 00 | 38,580 03 | 38,120 00 |
| Medical Examiner Service, Northern Division..... | 25,869 24 | 25,470 40 | 24,998 52 | 24,966 56 |
| Medical Examiner Service, Southern Division..... | 18,410 00 | 17,572 00 | 17,622 76 | 16,545 00 |
| Associate Medical Examiner Service, Northern Division..... | 2,205 00 | 2,105 00 | 2,125 10 | 1,790 00 |
| Associate Medical Examiner Service, Southern Division..... | 2,015 00 | 2,015 00 | 1,716 25 | 1,760 00 |
| Miscellaneous Expenses: | | | | |
| Auditing..... | 20,651 83 | 19,912 34 | 20,407 15 | 17,526 08 |
| Budget..... | 4,744 57 | 2,162 87 | 2,364 45 | 3,832 90 |
| Collecting..... | 1,400 00 | 1,400 00 | 1,400 00 | 1,379 00 |
| Sheriff..... | 4,632 12 | 4,250 00 | 4,250 00 | 4,632 12 |
| Treasury..... | 7,265 00 | 6,265 00 | 6,237 15 | 6,141 47 |
| Granite Avenue Bridge..... | 3,356 70 | 3,501 70 | 3,074 16 | 3,046 70 |
| Penal Institutions: | | | | |
| Office Expenses..... | 43,336 91 | 41,861 57 | 40,658 72 | 37,897 38 |

| DEPARTMENT. | 1938. Departmental Estimates. | 1937. Allowances. | 1937. Expenditures. | 1938. Allowances. |
|--|-------------------------------------|----------------------|------------------------|----------------------|
| House of Correction..... | \$667,456 63 | \$500,283 51 | \$486,682 07 | \$467,979 91 |
| Steamer "Michael J. Perkins"..... | 72,643 95 | 64,473 86 | 63,218 63 | 57,071 83 |
| Land Court..... | — | 8,945 00 | 7,128 15 | — |
| Special Appropriations: | | | | |
| Apportionment Commission..... | — | — | 28 00 | — |
| Social Law Library..... | 1,000 00 | 1,000 00 | 1,000 00 | 1,000 00 |
| | \$4,104,683 56 | \$3,668,182 53 | \$3,601,538 12 | \$3,584,260 32 |
| REVENUE DEPARTMENTS. | | | | |
| Printing..... | \$394,293 85 | \$406,051 63 | \$361,932 39 | \$347,053 45 |
| Departmental Stationery and Postage..... | 125,000 00 | 125,000 00 | 123,735 27 | 118,200 00 |
| City Record, Publication of..... | 33,550 50 | 33,550 50 | 29,437 21 | 30,033 15 |
| Public Works: | | | | |
| Water Service..... | 1,253,304 83 | 1,105,983 84 | 1,031,255 23 | 964,153 55 |
| Water Income Division..... | 313,930 87 | 267,290 00 | 238,063 32 | 251,465 90 |
| Traffic Tunnel..... | 271,223 21 | 256,773 26 | 229,385 86 | 222,257 16 |
| Collecting: | | | | |
| Water Division..... | 108,422 91 | 100,875 16 | 96,092 24 | 106,976 31 |
| | \$2,499,726 17 | \$2,295,524 39 | \$2,109,903 52 | \$2,040,139 52 |
| RECAPITULATION. | | | | |
| City Departments..... | \$46,042,656 92 | \$39,766,907 58 | \$39,203,282 64 | \$39,158,812 87 |
| County Departments..... | 4,104,683 56 | 3,668,182 53 | 3,601,538 12 | 3,584,260 32 |
| Total..... | \$50,147,340 48 | \$43,435,090 11 | \$42,804,820 76 | \$42,743,073 19 |
| Revenue Departments..... | 2,499,726 17 | 2,295,524 39 | 2,109,903 52 | 2,040,139 52 |
| Grand Total..... | \$52,647,066 65 | \$45,730,614 50 | \$44,914,724 28 | \$44,783,212 71 |

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, April 13, 1938.
To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body, I hereby appoint the following-named persons constables of the City of Boston for the term of one year, beginning with the first day of May, 1938, without power to serve civil process and to serve without bond.

The commissions of all constables not named herein expire on April 30, 1938, and such constables are hereby removed from office from and after May 1, 1938, for the good of the service.

Respectfully,
MAURICE J. TOBIN, Mayor.

Connected with Official Positions.

James Baxter, 10 Woodlawn avenue, Ward 18; Edward Berman, 40 Fabyan street, Ward 14; Charles Boyce, 4 Neptune road, Ward 1; Joseph Brogna, 165 Endicott street, Ward 3; Andrew Bruschette, 45 Chelsea street, Ward 1; John Carey, 58 Newman street, Ward 7; Joseph Carr, 169 Bowdoin street, Ward 15; Joseph P. Casey, 43 Marcella street, Ward 11; Joseph Cohen, 65 Homestead street, Ward 12; Robert Connolly, 20 Thomas street, Ward 19; John H. Coughlin, 50 Rosa street, Ward 18; James W. Daley, 42 Lambert street, Ward 9; John DeRosso, 3984 Washington street, Ward 19; William Doherty, 6 Dunmore street, Ward 8; John Donahoe, 468 Saratoga street, Ward 1; Edward Donovan, 336 Geneva avenue, Ward 15; Charles E. Dowd, 102 Gainsborough street, Ward 4; John F. Doyle, 14 Dewey street, Ward 13; Joseph L. Duffly, 15 Spencer street, Ward 17; John J. Duffy, 27 School street, Ward 2; Manus Eyges, 508 Harvard street, Ward 14; George M. Fitzgerald, 200 Weld street, Ward 20; William J. Fitzheury, 491 Geneva avenue, Ward 16; Cornelius T. Fitzpatrick, 17 King street, Ward 16; James J. Flanagan, Jr., 1421 Columbus avenue, Ward 11; John F. Ganly, 98 Topliff street, Ward 15; James J. Garvey, 16A Mt. Vernon street, Ward 7; Joseph E. Gilmartin, 15 Emmet street, Ward 18; David Gordon, 33 McLean street, Ward 3; Gabriel Grappocio, 47 Auburn street, Ward 3; Henry J. Gurl, 183 Huntington avenue, Ward 4; Charles G. Haddad, 34 Bradford street, Ward 3; Frank M. Hayes, 259 West Third street, Ward 6; William J. Hayes, 15 Shannon street, Ward 22; Edward Hines, 152 Westville street, Ward 15; Leo Kelly, 75 Pontiac street, Ward 10; Joseph Keuneally, 155 Train street, Ward 16; Roger Krohn, 15 Everton street, Ward 15; Henry J. Lawler, 95 McBride street, Ward 11; Wilbur F. Lewis, 645 East Fifth street, Ward 6; Joseph P. Lydon, 19 Windermere road, Ward 13; Andrew Martin, 28 Maynard street, Ward 18; Arthur Matthews, 33 Lourdes avenue, Ward 11; Albert Mitchell, 154 Eustis street, Ward 8; Joseph Monahan, 57 High street, Ward 2; Bernard McCahe, 128 Colberg avenue, Ward 20; Edward F. McCarthy, 252 Chestnut avenue, Ward 19; John C. McCarthy, 28 Quincy street, Ward 12; Paul McCarthy, 316 Hyde Park avenue, Ward 19; Arthur McElwain, 13 Centre street, Ward 9; Patrick McGovern, 4 Tremont street, Ward 2; Charles J. McGrath, 46 Columbia road, Ward 7; William J. McGregor, 33 Gramplan way, Ward 13; James J. McKiernan, 62 Myrtle street, Ward 5; Harry W. McNamara, 11 Priscilla road, Ward 21; Archibald McNeil, 14 Blanche street, Ward 16; Leo T. McNeil, 1395 Commonwealth avenue, Ward 21; Leo F. Neenan, 498 East Sixth street, Ward 6; William F. Nicholson, 1580 Tremont street, Ward 10; Edward Noonan, 1295 Commonwealth avenue, Ward 21; John F. O'Brien, 761 East Seventh street, Ward 7; David L. O'Connor, 15 Iroquois street, Ward 10; Leonard Pike, 54 Wilmington avenue, Ward 17; John J. Rea, 68 Russell street, Ward 2; James Riley, 44 Francis street, Ward 10; Frederick W. Roche, 24 Hinkley street, Ward 13; Myers Rosenberg, 576 Blue Hill avenue, Ward 14; Alvin Sexton, 22 Edson street, Ward 17; Francis J. Shea, 39 Belmont street, Ward 1; Hyman Slate, 28 Phillips street, Ward 5; Daniel V. Sugrue, 52 Athol street, Ward 22; Patrick E. Sullivan, 122 Parker Hill avenue, Ward 10; Leroy Sussman, 40 Bowdoin street, Ward 3; Joseph Taft, 4 Samson street, Ward 1; Joseph S. Tieso, 67 Cedar street, Ward 17; Herbert C. Timson, 117 Beacon street, Ward 18; William Walsh, 69 Maverick street,

Ward 1; Fred J. White, 137 St. Alphonsus street; Ward 10; Earl F. Wickes, 14 Rosedale street, Ward 17; Edward J. Leary, 90 Fenway, Ward 4; Timothy F. Regan, 56 Eliot street, Ward 19.

With Animal Rescue League.

Frederick O. Houghton, 363 Adams street, Milton; Archibald C. McDonald, 710 East Sixth street, Ward 6; Joseph E. Connaughton, 14 James street, Ward 8.

With Massachusetts S. P. C. T. A.

Harry L. Allen, 180 Longwood avenue, Ward 4.

Van Drivers Appointed by the Court.

Patrick A. Gargan, 80 Fairbanks street, Ward 22; Charles M. Shea, 33 Hillside street, Ward 10. Laid over for one week under the law.

NEW CITY YARD, CENTRE STREET.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Commissioner of Public Works with reference to the proposed new city yard on Centre street, Dorchester:

1. Not to permit operation of city trucks and vehicles to and from such yard from Allston street or otherwise than from Centre street.
2. Not to store city wagons and trucks on or make such use of the proposed new yard as will destroy residential values in that neighborhood.

Coun. WILSON—Mr. President, I wish to speak very briefly on the purpose of this order, which deals with conditions that might arise at the new city yard on Centre street, Dorchester, which I understand is to take the place of the old Gihson street yard, after a temporary sojourn on Columbia road. The new yard is to be on Centre street, near the Shawmut Station, very properly in Ward 17. I have understood from Mr. Morrison that 8,000 feet of land in that location is to be used for a headquarters for office of the Public Works Department. Being in the heart of a residential community, of course regulations should be made against the operation of city trucks and vehicles to and from such yard from Allston street or otherwise than from Centre street, the storing of city wagons and trucks, or other such use of the proposed new yard as will destroy residential values in the neighborhood. I wish at the outset, therefore, before the moving to the new yard, to make this request of the Commissioner of Public Works, through his Honor the Mayor.

The order was passed under suspension of the rule.

PARKING ON RESIDENTIAL STREETS, WARD 17, AND EXTENSION OF "SERVE YOURSELF" STORES.

Coun. WILSON offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to pass such regulations against parking of motor vehicles on residential streets intersecting Washington street, Ward 17, as shall prevent the continually increasing and sustained use of such streets for parking by transients, especially on Kenwood street.

Resolved, That the Boston City Council favors the enactment of such legislation as will discourage or prevent the further extension of so-called "Serve Yourself" chain stores in the residential sections of the City of Boston.

Coun. WILSON—Mr. President, I have introduced these two orders having in mind a special situation which I believe must also interest other councilors from the residential sections of the city. During the past year there has been an influx of these so-called "Serve Yourself" First National and A and P chain stores, with their threat to local business, and their inconvenience and annoyance to residential sections of our city. I happened to be present in the Board of Appeal on a zoning hearing not long ago when the councilor from Ward 15 objected to such a cash and carry "Serve Yourself" store in one of the residential streets in his community, and I have in mind also in presenting this order the establishment of such a store at the corner of Kenwood and Washington streets, in the Codman square section of Dorchester. There is property there which was occu-

pied by an old lady of eighty, who died there awhile ago in the place in which she was born. That old house has been torn down, and I understand that there is proposed to be erected on the land one of these "Serve Yourself" cash and carry stores, by the First National Company. I am inclined to believe that there may have been some merit in the California tax on chain stores as far as residential communities are concerned. I have personally lived in the Codman square section of Dorchester for many years, and I understand that the intrusion of these "Serve Yourself" chain stores means three things, in that residential section, as in every such residential section such stores are put up. It means, first of all, destruction of residential values in the neighborhood; second, loss of positions by men who should be behind the counter serving instead of having this "Serve Yourself" arrangement, an arrangement by which, as they admitted in the Board of Appeal, they can sell goods at 20 per cent off the average price. In the third place, it means the destruction of the little neighborhood stores in the heart of every residential section, which have conducted a local business for many years. An additional objection that I have in mind, as brought forth in one of these orders, is that primarily these places, which are a blight to any residential section, depend for their wholesale and retail sales on transient trade, coming from different sections, which means the parking of motor vehicles filling up the residential streets in the immediate locality. The store that is being considered is one at the corner of Washington and Kenwood streets. People in the vicinity object to it and hope to prevent its erection. Even though the store is erected, with an accompanying loss to residential values in the community, I serve notice today that, so far as I have any power in the city administration, I shall do all I can to hold the place within bounds,—for instance, endeavoring to get the Board of Health to actively interest itself in having the law observed in the prevention of placing dozens of barrels of garbage on Kenwood street, and I shall do all I can through the Traffic Commission to forbid the parking of vehicles on Kenwood and other streets in the vicinity. I believe if this movement continues, with the thrusting of these cash and carry "Serve Yourself" stores throughout residential communities in this city, I personally would be strongly inclined to favor such a tax on these places as was imposed in California.

Coun. TAYLOR—Mr. President, I would like to go on record as concurring with Councilor Wilson in respect to this order. Personally, I am of the belief that these cash and carry "Serve Yourself" stores and chain stores have been greatly instrumental in adding to our unemployment situation as it exists today. While I believe it would be unconstitutional to put these chain stores out of business, nevertheless, I do not think the city government ought to encourage them. We must all realize that these chain cash and carry stores now being formed are causing a great increase in unemployment, and I believe city officials should place as many obstacles in their path as possible. I believe in all the districts where there are cash and carry stores they should be closely watched and scrutinized, because if we allow such conditions to continue in our city it is going to increase our unemployment and place more people of our city on the welfare lists.

The orders were passed under suspension of the rule.

ADMISSION TO BOSTON SANATORIUM.

Coun. WILSON offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council whether a Boston resident for over five consecutive years is barred from admission to the Boston Sanatorium at Mattapan if such resident at any time received a welfare allowance from the city.

Coun. WILSON—Mr. President, that order is introduced at this time for the purpose of obtaining the information suggested, because if such a practice exists I am sure that it is in violation of the general belief of the people of Boston and of our election officials. An instance occurred within the last month which concerns a woman in my ward, who is getting along somewhat, but who is still a young woman, who was born and lived here for twenty years, then went away for a while and came back, and who during the past

six consecutive years has lived in the Dorchester section of Boston. About five years ago she lost her husband and was left with a young child to support, and for a period of not more than eight weeks—I put it at that to be conservative, but it is my recollection that it was less than eight weeks—that mother and child received minimum support at the hands of the Public Welfare Department. Recently, although she has been a resident of Boston for over five consecutive years, she has contracted tuberculosis and needed treatment in a sanatorium. She was refused admission, as I understand it, to the nearby Mattapan Sanatorium on River street, because, although she was born and lived here for twenty years, and came back later and has now been a resident of Boston again for six years, when left a widow with a young child and being up against it, she accepted for a few weeks help from the Welfare Department, in order to save her life and that of her little child. So now, although she has since been for over five consecutive years a resident of Boston and has contracted tuberculosis, she cannot receive treatment at the Boston Sanatorium at Mattapan because for eight weeks she received that welfare aid. I want to ascertain from the trustees of the Boston City Hospital if that is the law. If it is, it should be wiped out.

Coun. ROSENBERG—Mr. President, I believe that this order will perhaps serve a very useful purpose. I might refer to a similar instance to that referred to by the councilor that has been brought to my attention, where a person who had received welfare aid could not receive hospital treatment. Certainly, a person who has lived in Boston for twenty years and who has had to obtain aid of this sort, and who for the next five years has been a resident of this city, should not be refused hospital treatment on the ground that he or she does not have an established residence in the city, I think this order will serve a very useful purpose in clearing up present ambiguities.

The order was passed under suspension of the rule

DWELLINGS UNSAFE FOR HABITATION.

Coun. WILSON offered the following:

Ordered, That the Building Commissioner be requested, through his Honor the Mayor, to enforce the law with reference to condemnation and demolition of dwellings in Boston now unsafe or unfit for habitation, having in mind the Real Property Inventory Survey completed by the Boston Planning Board of 1935, which purported to show, as of that date, 1,509 dwelling structures or 3,912 dwelling units in Boston unfit for habitation.

Ordered, That the Health Commissioner and Building Commissioner be requested, through his Honor the Mayor, to make an examination, survey and report with reference to dwelling structures in Boston listed by the City Planning Board in its 1935 Real Estate Inventory as unfit and unsafe for habitation, namely 1,509 dwelling structures, or 3,912 dwelling units.

Coun. WILSON—Mr. President, the cause of my introducing these orders today may be somewhat of a surprise to the Council, but the fact is that this is not an ordinary question. It was my privilege on Monday morning of this week, on their invitation, to appear at the weekly meeting of the Building and Construction Trades Council of Boston and Vicinity, at the request of Mr. E. A. Johnson, to talk on the question of Old Harbor Village and upon the advisability or inadvisability of having further housing projects in Boston. As usual, when a man studies and hears discussed both sides of a question, he learns something, and by my presence in that organization on Monday, where I received most courteous treatment, I learned something. There was a discussion that followed my talk at the meeting, which was a most pleasant one. The question of slum clearance and further housing projects in the City of Boston came up. As a result, and following what I have read in the newspapers during the past week of the experience of the city of Milwaukee, I have offered these orders. Milwaukee has been engaged for the past ten years on a program of demolition of worthless buildings. During that time no less than 5,405 such buildings have been demolished, and the splendid work of eradication of those useless buildings has been

accomplished by no more than two men in the city employ working less than three days a week, and at cost of less than \$200 annually. I have in mind also the 1935 real estate inventory of dwelling structures in Boston listed by the City Planning Board as unfit and unsafe for habitation, numbering 1,509 dwelling structures or 3,912 dwelling units. There are also 8,671 dwellings in need of structural repairs. If that report is correct, or anywhere nearly correct, the purpose of these two orders becomes evident, requesting through the Mayor, reports upon the matter by the Health and Building Commissioners. If such a situation as is indicated by the survey exists, it seems to me imperative that there should be immediate compliance with the law in such matters, looking to the safety and health of the public, and that also there should be earnest consideration of slum clearance projects. As bearing upon the expense of demolition of worthless buildings, the Milwaukee experience is important. If the figures there are correct, it should not cost here more than \$200 or \$300 of the city's money annually for such work during the next two years.

The orders were passed under suspension of the rule.

SURVEY BY STATISTICS DEPARTMENT.

Coun. WILSON offered the following:

Ordered, That the trustees of the Statistics Department be requested, through his Honor the Mayor, to make the following survey and report the following information, so far as available, after inquiry of local city authorities:

1. The names of cities where housing projects, constructed by the United States Government or Federal Housing Authority, have been completed and are now in operation.

2. The number of building permits issued by each of said cities during each of the two years preceding the opening of a Government housing project in each of said cities for the erection of new dwelling houses and apartment houses, with the total number of dwelling units, if available, and the total construction cost.

3. The same information covering each full year since the opening and operation of a Government housing project in each of said cities.

Coun. WILSON—Mr. President, that order is introduced at this time, in fairness to the Building and Construction Trades Council of Boston and Vicinity, and having in mind the differences of opinion that arose at the meeting to which I have referred in regard to this general question. I made the statement to them quite frankly that, in my opinion, taking those Old Harbor Village apartments where much of the expense has been charged off and where they are substantially tax free, they can naturally be let to people of Boston at much lower rates than if they were constructed privately. If we also proceed to construct at least 9,000,000 more of housing projects, the next result will be, from the point of view of the laboring men of Boston and vicinity, that private industry will be so destroyed by the unfair competition, that, although further construction of such housing projects may be of some temporary benefit to some people in Boston, the private building business of the city as a long term proposition, will be destroyed, as private capital will no more be used to build houses in Boston. The statement was made by one of the members of the Building Trades Council that in the city of New York following the construction of one or more housing projects, more private building construction permits were issued in the next year than in any prior year. I doubt that. I feel, having in view the interest of the labor unions, that, with the further continuance of such Federal housing projects, private capital will be unable to compete in the construction of private houses with the Government on such an unfair basis. That may or may not be so. But neither you nor I at the present time have the facilities for obtaining the information we would desire. Therefore, I have introduced this order, looking to a survey by the Statistics Department. Many housing projects have been completed and are now in operation, and I think in all fairness we should obtain from the Statistics Department, as outlined, the names of the cities where housing projects have been completed, and the information in regard to the issuance of building permits in such cities during each of the two years preceding the opening of the projects and covering a full year after the opening and operation of such

projects. This survey is such a one as our Statistics Department would naturally conduct, and when it has reported upon the matter, the Building Trades Council, myself and the other members of the Council will know whether these Federal housing projects injure private industry or the contrary.

The order was passed under suspension of the rule.

CLEMENCY TO DOCTOR TOWNSEND.

Coun. WILSON offered the following:

Resolved, That the Boston City Council favors the exercise of executive clemency on the part of the President of the United States in the case of Dr. Francis E. Townsend and urges that the seventy-one-year-old crusader be pardoned.

Coun. WILSON—Mr. President, I will say at the start that I am not a member of any Townsend Club. I believe that this resolution is, however, an eminently fair one. It is a matter which should not be sent to the Committee on Rules. It in no way criticizes the President of the United States; it in no way criticizes the Federal courts of this country, which have simply followed the letter of the law. But I know, and every man in this body knows, that there are thousands of followers of Doctor Townsend and his plan who agree with me that, however misguided in one respect or another, or however over-sensitive Doctor Townsend may be, he has at least been conscientious and has been actuated by the best of motives. I think many of us also feel that, although Doctor Townsend's plan did not go through, whether fortunately or unfortunately, the movement which resulted from the wave of enthusiasm that spread over the country, rightly or wrongly, was the most powerful factor in the legislation looking to old age pensions which has since swept the country. There is no legislative body in the entire country—Federal, state or municipal—that has not been affected by it. Therefore, this resolution is simply intended as a request from a body that I do not think has ever been classed as over-radical, and I believe it is a fair request to be presented from this body to the President of the United States. It is not an indorsement or an expression of opposition to the Townsend plan, but simply a respectful request from a legislative body of this state to the President of the United States, who is now the only man who can exercise the executive clemency urged upon him in behalf of this seventy-one-year-old gentleman, who has, in my opinion, whether you agree with him or not, served as a crusader during the past few years. I urge, therefore, that the resolution be passed.

The resolution was referred to the Committee on Rules.

Coun. WILSON—Mr. President, I would wish to appeal from that reference, but I understand that there is no appeal under the rules.

SUPERVISORS AT PLAYGROUNDS.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to at once provide supervisors at the playgrounds throughout the city for the protection of the children.

Coun. ROSENBERG—Mr. President, this order requests that the Park Commissioner at once provide supervisors at the playgrounds throughout the city for the protection of children on the playgrounds. There have been brought to our attention a number of cases where children have been molested and assaulted on playgrounds in various parts of the city. We all remember a recent instance that was referred to in this body. I think, therefore, that with the opening of the park program for the summer season something should be done looking to protection of children throughout the playgrounds of the city. I have therefore introduced this order.

The order was passed under suspension of the rule.

INFORMATION FROM ASSESSORS.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to furnish the City Council with the following information:

1. The number of homes owned by banking institutions.

2. The number of homes owned by private individuals.

3. The number of business and mercantile properties owned by banking institutions.

4. The number of business and mercantile properties owned by private individuals.

Passed under suspension of the rule.

SALARIES OF LIBRARY EMPLOYEES.

Coun. WILSON offered the following:

Ordered, That the higher paid officials connected with the Boston Public Library be requested, through his Honor the Mayor, to accept such reasonable reductions in salary for the year 1938 as will eliminate any necessity for the proposed closing of thirty-three branch libraries on Friday and Saturday nights and Saturday afternoons at an estimated financial saving of less than \$10,000.

Coun. WILSON—Mr. President, I hope the newspaper reports were inaccurate, but I did read recently that thirty-three branch libraries in the centre of culture of this country are to be closed during the very period of time when, I would assume, a large part of the reading would be done. While I understand the manner in which the Mayor of Boston unfortunately is crippled with reference to giving any orders to the Library Department, it does occur to me that something in the way of civic spirit and cooperation might be expected from the very able gentlemen at the top of the ladder, connected with this center of education, so far as reading in the City of Boston is concerned. If the City of Boston has reached a financial state where we have to go slowly from the educational standpoint, in all fairness I feel that some of these gentlemen—and I hope I am fair about it—realizing, as they must, financial conditions in private industry, not to mention public employment, should come forward and help. I really feel that, through the intercession of the Mayor those gentlemen should be willing to voluntarily do something that perhaps they cannot be forced to do under the law. If, because of financial pressure, we have to close thirty-three branch libraries throughout the City of Boston at certain times, before we do so I think at least seven of these important executives at the Boston Public Library should get into a huddle remembering that they hold very responsible positions in our Public Library system, a very important part of our educational system, and show a disposition to cooperate and to help out in our present financial difficulties. I wonder if it is generally recognized that the Director of the Library gets \$8,500 a year; that the Chief Librarian of the Reference Division gets \$7,000; that the Supervisor of General Reference Departments gets \$5,000; the Supervisor of Special Reference Departments, \$5,000; the keeper of rare books, \$5,000; the Comptroller of the Division of Business Operations, \$7,000; and the Chief Librarian of the Circulation Division, \$7,000? There is a total of \$44,500 a year for seven executives, and I really think, in all fairness to the school children of Boston, if to nobody else, those gentlemen should get into a huddle and work out some plan by which means could be afforded for the branch libraries of Boston to remain open at proper hours, at least until such time as the city is really sunk, even if those seven men have to reduce a little the size of their respective checks.

Coun. HUTCHINSON—Mr. President, I want to concur with the gentleman from Ward 17, especially when he refers to the high salaries that are paid to certain men in our Library Department. I understand also that quite a few positions of this kind have been filled within the last several years. I think this is a matter that might well be looked into.

The order was referred to the Committee on Appropriations.

APPLICANTS FOR W. P. A. EMPLOYMENT.

Coun. CAREY offered the following:

Ordered, That the Acting Director of Public Welfare be requested, through his Honor the

Mayor, to look into the matter of speeding up the investigation of applicants for W. P. A. employment.

Ordered, That the Acting Director of Public Welfare be requested, through his Honor the Mayor, to make an investigation into the method of certifying applicants for W. P. A. employment and to advise the City Council as to what steps, if any, can be taken to expedite these certifications.

Coun. CAREY—Mr. President, I think each and every colleague of mine in the City Council will agree with me that there seems to be an unnecessary delay, in the first place, in making these investigations of applicants for W. P. A. employment. In the second place, after the investigation is made there seems to be an unreasonable time elapsing before certification of the applicant. In the meantime, members of the City Council are continually besieged, day and night, by letter and telephone, asking what can be done to speed up such certification. I don't want to appear unreasonable because I feel that they are attempting to do a good job down there, but we don't seem to be able to account for the delay, and it does seem as though speedier investigation and certification might be possible. In the meantime, there are people who need employment, people who may be on welfare and who are anxious to be certified for W. P. A. employment, wishing to get their day's pay under W. P. A. I think this is a matter that might well be looked into, in accordance with the terms of the order I have introduced. I think it might well be taken up with Mr. Murphy, to see, for instance, whether additional help should be furnished, if needed, I feel that we should, at least, have a satisfactory explanation, and that then whatever action may be needed can be taken.

Coun. GEORGE A. MURRAY—Mr. President, I wish to go along with the councilor from Roxbury in this matter. During the past three or four months it has been necessary for people seeking W. P. A. employment to be first certified by the Public Welfare Department. The usual procedure is for the applicant, who is on welfare, to write or have written in his behalf a card making such application. That has been done in many cases, and the applicant waits for two or three weeks, and finds that nothing has been done about it, and he calls up and finds that the matter is being investigated before certification. He cannot get work under W. P. A. until there is such certification, although he has taken the first step and is simply waiting for action. Therefore, I want to go along with my colleague in this matter, and to try to see that if further help is needed down there steps be taken to furnish it. I certainly trust that whatever is necessary will be done to facilitate these applicants getting W. P. A. employment.

Coun. TAYLOR—Mr. President, I might add that the answer is very self-evident and plain. They have given me the information time and time again. They have down there in the Public Welfare Department but five or six persons for investigation looking to certification. We all know that it is impossible for six people to travel over the entire City of Boston investigating all the applicants for these positions. There is only one remedy for the situation, and that is, for them to have more help. I don't think the Welfare Department is to be criticized. The only thing that can be done is for the Mayor of Boston to give authority to the Welfare Department to appoint more employees so that the unfortunates who have to seek a W. P. A. job will have their investigation and certification speeded up. There are perhaps 2,000 applicants for W. P. A. employment who have a right to be investigated so that eventually they may be certified and secure W. P. A. employment.

Coun. SULLIVAN—Mr. President, I think this is a matter that should be looked into. I understand that a few weeks ago there were several thousand names available on the Welfare list, and that those names had not been turned over to the W. P. A. authorities so that these people would be given a chance to go to work on W. P. A. I don't know what the reason is, but I think there must be some reason other than lack of personnel in the Public Welfare Department. They are not turning those names over with sufficient rapidity so that these applicants can get on the list.

The orders were passed under suspension of the rule.

PLAYGROUND, JAMAICAWAY AND
FRANCIS PARKMAN ROAD.

Coun. ENGLERT, for Coun. Peter A. Murray, offered the following:

Ordered, That the Park Commission be requested; through his Honor the Mayor, to set aside the field located at the corner of the Jamaica-way and Francis Parkman road as a play field for the children of the district.

Passed under suspension of the rule.

SIDEWALKS, WARD 6.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along West Sixth street, from F street to D 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.

Ordered, That the Commissioner of Public Works make a sidewalk along F street, from Seventh street to Broadway, 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.

Severally passed under suspension of the rule.

ARC LIGHTS, FALLON FIELD.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install

three arc lights across Fallon Field, from the Belgrade avenue to the Robert street end, for the protection of women who have to cross this field in order to reach their homes from the Belgrade avenue car line.

Passed under suspension of the rule.

ACCEPTANCE OF FRESNO STREET.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fresno street, Ward 20, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

COMMITTEE FOR BROTHERHOOD DAY
MEETING.

Coun. HUTCHINSON offered the following:

Ordered, That the President of the City Council be requested to appoint a committee of three members of the Council to represent the City of Boston at the Brotherhood Day Meeting to be held at Faneuil Hall on the evening of April 26th, which meeting is being held to promote and foster good feeling amongst the different races and religions throughout the country.

Referred to Committee on Rules.

THE NEXT MEETING.

On motion of Coun. ENGLERT it was voted that when the Council adjourn it be to meet on Monday, April 25, 1938, at 2 p. m.

Adjourned, on motion of Coun. ENGLERT, at 3.05 p. m., to meet on Monday, April 25, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 25, 1938.

Regular meeting of City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Norton.

SURVEY OF UNFIT DWELLINGS.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of April 13, 1938, concerning the making of an examination, survey and report with reference to dwelling structures in Boston listed by the City Planning Board in its 1935 Real Estate Inventory as unfit and unsafe for habitation, namely, 1,509 dwelling structures, or 3,912 dwelling units.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, April 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Your communication of April 13 and 18, subject of which is the City Council order dated April 13 concerning the enforcing of the law with reference to condemnation and demolition of dwellings in Boston now unsafe and unfit for habitation, are being given immediate consideration.

However, I advise you that considerable delay may be occasioned before the instructions contained in said order can be consummated. I have requested the Planning Board, to whom the order refers, to furnish me with the locations of the 1,509 dwelling structures catalogued. I advise you that upon receipt of the said list immediate steps will be taken to fulfill the requirement of the order. Also, I might state that it is my intention to supplement said list with current information obtained by members of this department.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

City of Boston,
Building Department, April 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Subject: City Council order of April 13, 1938.
Examination, survey and report of dwellings, etc.

Dear Sir,—Supplementing my letter to you dated April 21, 1938, relative to the subject noted above, please be advised that receipt of a letter from the City Planning Board, copy attached, discloses the fact that the exact information stated and requested by said City Council order can be obtained only by perusing and copying at the City Planning Board's offices, information from some 5,000 original sheets, there on file. To obtain such information with the limited clerical force at my command is practically impossible.

However, I am certain that what I believe to be the intent of the order can be accomplished by making a survey of the entire city, by districts, and recording and reporting to you the location of every dwelling unfit for habitation, due to structural conditions, and, consequently, all inspectors in my department have been directed to examine, survey and report their findings in their respective districts forthwith.

I believe such procedure not to be contrary to the requirements of the order and will proceed, as described above, unless I receive other instructions from you.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

City of Boston,
Planning Board, April 21, 1938.
Mr. James H. Mooney,
Building Commissioner.

Dear Sir,—In reply to your letter of April 20 to Mr. Fay, I wish to inform you that this department will be glad to put at your disposal the material in the Real Property Inventory referred to in the City Council order of April 13.

As I explained to your secretary over the telephone, people interviewed in connection with this inventory were assured that all information would be kept strictly private and not released in such a way that it could be connected with individual properties.

This information is available only on the original enumeration schedules, of which there are some 5,000 sheets. I will be glad to make a available space in our W. P. A. Project office in South Boston where these schedules may be inspected and the information copied.

I regret that it is impossible, due to lack of personnel, to do this tabulation ourselves. If you will inform me a day or two before you are ready to undertake this work it will aid me in putting the necessary facilities at your disposal.

I am forwarding to the Health Department the above information in reply to a request similar to your own.

Yours very truly,
FRANK H. MALLEY, Acting Secretary.
Placed on file.

SUPERVISORS AT PLAYGROUNDS.

The following was received:

City of Boston,
Office of the Mayor, April 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 13, 1938, concerning the provisions of supervisors at the playgrounds throughout the city for the protection of children.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 16, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from William T. Doyle of your office, with inclosure, order from the City Council that we provide supervisors at the various playgrounds throughout the city for the protection of children.

Please be informed that the sixty-seven playgrounds in the city are cared for and will be further cared for with the opening of same. Supervised play will be started immediately at the close of the gymnasiums.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

PEDESTRIAN RESERVATIONS, UNION SQUARE, ALLSTON.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 4, 1938, concerning the installation of pedestrian reservations in Union square, Allston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, April 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated April 4, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install pedestrian reservations in Union square, Allston."

This commission is preparing a plan to show the proposed installation of a series of safety islands in Union square. We believe that the installation of these islands would effect the proper channeliza-

tion of movements of vehicular traffic through this area and afford safety to pedestrians by providing havens and by regimenting the vehicular traffic so that a pedestrian crossing the square in any direction would have to look in but one direction for oncoming traffic.

When this plan is completed copies will be forwarded to your Honor for approval.

A W. P. A. project is being conducted under the sponsorship of the Public Works Department. The work contemplated under this project includes the erection of safety islands of the type which are to be proposed for Union square. If the plan meets with your approval we respectfully recommend that the islands be installed under this W. P. A. project.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

SPOT LIGHT, MISSION CHURCH.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 4, 1938, concerning the installation of a spot light for the protection of the police officer doing traffic duty in front of the Mission Church, Roxbury.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, April 18, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated April 4, 1938, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a spot light for the protection of the police officer doing traffic duty in front of the Mission Church, Roxbury."

The budget allowance for this department for the year 1938 does not permit the installation of new equipment involving substantial expenditures such as this would entail.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

LIGHTS, FALLON FIELD.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 13, 1938, concerning the installation of arc lights across Fallon Field, from the Belgrade avenue to the Robert street end, for the protection of women who have to cross this field in order to reach their homes from the Belgrade avenue car line.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 22, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—In reply to inclosed order from the City Council, relative to the installation of arc lights across Fallon Field from Belgrade avenue to the Robert street end, etc., I respectfully submit the following:

There is a street car stop on Belgrade avenue about opposite the underpass, under the New York, New Haven & Hartford Railroad, which is used extensively by those persons who live in the Robert street section of Roslindale. Persons who use this underpass have to cross Fallon Field, as it makes a short cut and this pathway is used both day and night.

There is no question but what arc lights would offer better protection in the night for the residents. I have had studies prepared and the Edison Company will have to install these lights—they

quote a price of \$2,500. It would also cost \$226.50 per year for the burning of three, 1,000-candle power lights.

These amounts will have to be inserted in the budget, as we have no money available for this purpose.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESURFACING OF BOYDEN STREET.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 11, 1938, concerning the resurfacing of Boyden street, Ward 14, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 20, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council requesting that Boyden street, Ward 14, be resurfaced under the W. P. A. plan of construction, and I report that this street has been included in a project and approval has been received for resurfacing it.

The work will be done during the present year.
Respectfully yours,

E. M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

RESURFACING MOUNTAIN AVENUE, WARD 14.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 11, 1938, concerning the resurfacing of Mountain avenue, Ward 14, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 20, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to the attached order of the City Council requesting that Mountain avenue, Ward 14, be resurfaced under the W. P. A. plan of construction, you are informed that approval for this street on a W. P. A. project has been obtained and the resurfacing will be done during the present year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

SPOT LIGHT, ST. THERESA'S CHURCH.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of March 21, 1938, concerning the installation of a spot light in front of St. Theresa's Church, on Centre street, Ward 20, as a means of protection for the police officer while directing traffic at night.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, April 18, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated March 21, 1938, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a spot light in front of St. Theresa's Church, on Centre street, Ward 20, as a means of protection for the police officer while directing traffic at night."

The erection of a police officer's spot light in this location, even though it were placed directly in front of the entrance to the church, which location is the shortest distance from the Boston Edison Company manhole from where electrical service would have to come, would involve the expenditure of approximately \$240.

The hudget allowance for this department for the year 1938 does not permit the installation of new equipment involving substantial expenditures such as this would entail.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

PARKING, WARD 17.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 13, 1938, concerning the passing of such regulations against the parking of motor vehicles on residential streets intersecting Washington street, Ward 17, as shall prevent the continually increasing and sustained use of such streets for parking by transients, especially on Kenwood street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, April 18, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated April 13, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to pass such regulations against parking of motor vehicles on residential streets intersecting Washington street, Ward 17, as shall prevent the continually increasing and sustained use of such streets for parking by transients, especially on Kenwood street."

Kenwood street and those streets intersecting Washington street in the vicinity of Codman square are used for parking purposes by persons shopping in the Codman square area. To prohibit parking in these streets would seriously affect business in the Codman square district.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

PLAYGROUND, JAMAICAWAY AND FRANCIS PARKMAN ROAD.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of April 13, 1938, concerning the setting aside of the field located at the corner of the Jamaicaaway and Francis Parkman road as a play field for the children of the district.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 18, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have a memorandum from William T. Doyle, chief clerk in the Mayor's office, with inclosure, order from the City Council with petition that the area located at the corner of Jamaicaaway and Francis Parkman road be set aside as a play field for the children of the district.

This area is what is known as Frothingham Cove, was taken for park purposes and can only be used for such.

There is a playground within a few minutes' walk on Jamaicaaway; there is also a playground on the other side of Centre street.

There is in no way in which I can legally set aside this area for playground purposes, and while I realize there are a number of small children living in the immediate vicinity—the areas that were taken for park purposes must be maintained as such.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TRAFFIC STAND, COLUMBUS AVENUE.

The following was received:

City of Boston,
Office of the Mayor, April 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Police Commissioner relative to your order of April 4, 1938, relative to the installation of a traffic stand and assignment of a traffic officer during rush hours on Columbus avenue, opposite Roxbury street.

Respectfully,
MAURICE J. TOBIN, Mayor.

Police Department,
April 16, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This will acknowledge your communication of April 7, inclosing order of the City Council requesting the installation of a traffic stand and assignment of a traffic officer during rush hours on Columbus avenue, opposite Roxbury street.

I have had an investigation made of this matter, and have issued instructions to have a traffic box installed at this point; also an officer has been assigned to direct traffic on week days from 8 to 10 a. m. and 4 to 6 p. m. These hours are approximate, and the officers are to extend them when traffic requires.

Very truly yours,
JOSEPH F. TIMILTY, Police Commissioner.

Placed on file.

SPRING CLEANING OF STREETS.

The following was received:

City of Boston,
Office of the Mayor, April 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 4, 1938, concerning the inauguration of an early program for spring cleaning of streets and avenues of Boston and if necessary to do this work as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of order passed in the City Council on April 4 requesting that the Commissioner of Public Works, through his Honor the Mayor, inaugurate an early program for spring cleaning the streets and avenues of Boston, and, if necessary, to do this work on a W. P. A. project, but regret that maintenance work cannot be done by W. P. A. forces, and any spring cleaning this year will have to be done by the ordinary crews in the Street Cleaning Service, inasmuch as no money was provided in the budget for any extra work along this line.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

ADDITIONAL BENCHES.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the chairman of the Park Department relative

to your order of April 4, 1938, concerning the installation of additional benches at the School street entrance to Franklin Park, Ward 11.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, April 12, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have a memorandum from William T. Doyle, chief clerk, with inclosure, order from the City Council that the Park Commission be requested to install additional benches at the School street entrance to Franklin Park, Ward 11.

I regret exceedingly to inform you that the finances of this department will not permit of this expenditure at the present time.

We have been trying to get through a W. P. A. project for repairs and construction of additional benches. If this project is accepted by the Federal Government, I will be pleased to comply with the request of the City Council.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

CHARLES H. TYLER BEQUEST.

The following was received:

City of Boston,
To the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President of the Board of Trustees of the Boston City Hospital relative to your order of March 28, 1938, concerning the exact amount already received out of the million-dollar bequest made by the late Charles H. Tyler in 1931, in honor of Dr. George G. Sears, and also the disposition made of such funds, with the date in each case when payments were received.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, April 5, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on April 1, the following order of the City Council was presented:

"Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council the exact amount already received out of the million-dollar bequest made by the late Charles H. Tyler in 1931, in honor of Dr. George G. Sears, and also the disposition made of such funds, with the date in each case when payments were received."

I am inclosing herewith the information requested by the City Council.

Respectfully yours,
JOSEPH P. MANNING,
President, Board of Trustees.

The Boston City Hospital—Charles H. Tyler Bequest.

(Will dated December 24, 1930.)

| | |
|---|----------------|
| Bequest to Boston City Hospital . . . | \$1,000,000 00 |
| July 17, 1933. Bonds received by Mr. Joseph P. Manning, President, Board of Trustees, from Mr. Karl Singer, Executor under will of Mr. Tyler, and turned over by Mr. Manning personally to City Treasurer | \$513,000 00 |

The following checks were received by Mr. Manning from Mr. Singer, entered on the hospital books and then turned over to the City Treasurer:

| | |
|---|------------|
| October 9, 1933, check from Mr. Singer, executor | 150 00 |
| November 3, 1933, check from Mr. Singer, executor | 225 00 |
| January 12, 1934, check from Mr. Singer, executor | 125,000 00 |
| May 11, 1934, check from Mr. Singer, executor | 100,000 00 |
| June 23, 1936, check from Mr. Singer, executor | 50,000 00 |
| August 25, 1936, check from Mr. Singer, executor | 60,000 00 |

| | |
|---|-------------|
| May 14, 1937, check from Mr. Singer, executor | \$40,000 00 |
| August 11, 1937, check from Mr. Singer, executor | 10,000 00 |
| September 10, 1937, check from Mr. Singer, executor | 15,000 00 |
| January 28, 1938, check from Mr. Singer, executor | 12,500 00 |
| February 11, 1938, check from Mr. Singer, executor | 12,500 00 |

Total amount turned over to City Treasurer \$938,375 00

NOTE.—City Treasurer's report of December 31, 1937, shows amount on hand \$978,736 59

Placed on file.

RESURFACING OF NAPIER PARK.

The following was received:
City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Commissioner of Public Works relative to your order of April 4, 1938, concerning the resurfacing of Napier park, Ward 13.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 13, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council, dated April 4, that the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Napier park, Ward 13, with the information that Napier park is under construction at the present time.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF CHILD STREET.

The following was received:
City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 4, 1938, concerning the resurfacing of Child street, Ward 11.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 13, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of City Council order of April 4, relative to the resurfacing of Child street, Ward 11, and you are advised that Child street will be submitted on a W. P. A. project for reconstruction this year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF EVELYN AND CLARKWOOD STREETS.

The following was received:
City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 4, 1938, concerning the resurfacing of Evelyn and Clarkwood streets, Ward 14, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 13, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council that the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Evelyn and Clarkwood streets, Ward 14, under the W. P. A. plan of construction.

This will advise you that the above-named streets have been submitted on a W. P. A. project for reconstruction.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

COLLECTION OF WATER BILLS.

The following was received:
City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of February 7, 1938, concerning the monkey-wrench system not being enforced in the collection of water bills, but to make use of the water lien method expressly provided by statute.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 13, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith answer to City Council order passed under date of February 7, reading as follows:

"That the Commissioner of Public Works be requested, through his Honor the Mayor, not to resort to the monkey-wrench system to enforce the collection of water bills, but to make use of the water lien method expressly provided by statute."

The Water Department of the City of Boston is placing water liens on all properties, according to law, and is also forced to use wrenches in different localities, in order that the water bills may be collected, by shutting down the flow of water so as to retard the volume.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

CLEARING OF SNOW FROM HYDRANTS.

The following was received:
City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Commissioner of Public Works relative to your order of January 24, 1938, concerning the clearing of snow from both post and flush hydrants so that uniformed members of the Fire Department may more promptly be available for fire duty during the winter season.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, April 13, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to City Council order as passed on January 24, the same being a request that the Public Works Commissioner, through his Honor the Mayor, be requested to again resume its proper function of cleaning snow from both post and flush hydrants so that uniformed members of the Fire Department may more promptly be available for fire duty during the winter season, you are advised that, in my opinion, it is most desirable that the Fire Department be required to clean the snow from post and flush hydrants, due to the fact that it will train them in the location of hydrants and that they will be more apt to find them when needed, in the event of a fire.

Further, we have not the man-power in the Public Works Department to assume these additional duties, which have been done for many years by the Fire Department.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

CONVENIENCE STATION, COLUMBIA ROAD.

The following was received:
City of Boston,
Office of the Mayor, April 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner, H. F. R. Watts, M. D., relative to your order of April 4, 1938, concerning the keeping open of the Convenience Station located on Columbia road, near Uphams Corner, as a public necessity.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, April 9, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to your memorandum, with request for consideration and report upon the order of the City Council, of April 4, 1938, concerning the keeping open of the Convenience Station located on Columbia road, near Uphams Corner, as a public necessity, I beg to report as follows:

In the interest of economy, at my suggestion, with the approval of the Mayor, it has been decided to close the six "Convenience Stations," so called, situated at Mattapan, Uphams Corner, Dorchester avenue, near Broadway, Washington street, near Broadway, Roxbury Crossing and on Richmond street, in the market district.

It is considered that these stations, a relic of an earlier day, are no longer a necessity in this age of rapid transit and the abundant facilities available which were nonexistent when these roadside convenience stations came into being.

Many parts of the city, including East Boston, Charlestown and South Boston proper, have never been provided with this type of service. Throughout the Park System, including the Common, public convenience stations have been and are being maintained.

The personnel have been absorbed by other services within the city departments.

Yours respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

REPAINTING OF HOBART STREET SCHOOL.

The following was received:
City of Boston,
Office of the Mayor, April 4, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. James J. Mahar, Superintendent of Construction of the School Buildings Department, relative to your order of March 21, 1938, concerning the repainting, both inside and out, of the Hobart Street School, Brighton, and also the resurfacing of the school yard, as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Department of School Buildings,
March 30, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In answer to your communication of March 23, relative to a Council order of March 21, I am pleased to inform you that the painting of this building should be started on or about April 18, 1938.

I cannot make any definite reply at this time on the resurfacing of the school yard connected with this building, although I am in hopes that this work will be done during the coming year.

Very truly yours,
JAMES J. MAHAR,
Superintendent of Construction.

Placed on file.

BUS SERVICE TO CARSON BEACH.

The following was received:
City of Boston,
Office of the Mayor, April 4, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. Edward Dana, President and General Manager

of the Boston Elevated Railway Company, concerning your order of March 14, 1938, relative to the extension of bus service during the summer months from Franklin Park Station to Carson Beach, to start at Blue Hill Avenue and Morton street Dorchester.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Elevated Railway,
March 24, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to your letter of March 22 with order of the City Council relative to extension of bus service during the summer months from Franklin Park Station to Carson Beach, to start at Blue Hill Avenue and Morton street, Dorchester, the trustees have previously considered a similar request but in view of existing service and the fact that an extension of the bus line would add to the deficit, they do not under present circumstances feel that it can be justified.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

FIRE STATION, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, April 6, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Mr. William Arthur Reilly, Commissioner of the Fire Department, relative to your order of March 14, 1938, concerning inclusion in the 1938 budget of a sum sufficient to provide for the construction of a fire station in the Grove street section of Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
City of Boston,
Fire Department, April 5, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am returning herewith the following order passed by the City Council on March 14, 1938:

"Ordered, That his Honor the Mayor be requested to include in his 1938 budget a sum sufficient to provide for the construction of a fire station in the Grove street section of Ward 20.

In City Council March 14, 1938. Passed.

Attest:

W. J. Doyle,
City Clerk."

I wish to report that in the opinion of this department an additional fire station is desired for the West Roxbury district. When our economy program is worked out for the year 1938 we hope then to provide for certain recurrent expenses, including replacement of apparatus and additional firehouses in certain sections of the city.

At the present time we are not aware of any city-owned land in this district of Ward 20 and we have no plans prepared for the construction of a fire station. However, we are planning to seek out some city-owned land and arrange for the drawing of plans so that possibly in 1939 we might be able to provide quarters in the section specified.

It is our recommendation that the first new firehouse to be built in Boston be erected in the vicinity of Washington and Grove streets, West Roxbury.

Respectfully yours,
WM. ARTHUR REILLY,
Fire Commissioner.

Placed on file.

APPOINTMENT BY THE MAYOR.

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

Weigher of Goods: Bernard A. McKinney,
765 West Roxbury Parkway, West Roxbury.
Laid over a week under the law.

CHANGE IN HEALTH DEPARTMENT ORDINANCE.

The following was received:

City of Boston,
Office of the Mayor, April 14, 1938.
To the City Council.

Gentlemen,—I submit herewith a proposed change in the city ordinances affecting the Health Department. This amendment to the ordinances is proposed in order to more clearly define the divisions in the Health Department. Inclosed herewith is a letter from the Health Department concerning the necessity for such change, and communication from the Corporation Counsel relative thereto. I recommend that the proposed amendment be made by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
City of Boston,
Health Department, January 11, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Last year the Mayor, at the request of the Health Commissioner, asked the City Council to amend section 2 of chapter 16 of the Revised Ordinances relative to the divisions of the Health Department so as to change the designation of the "Sanitary" Division to the "Housing and Sanitary Division." The term "housing" being deemed to be descriptive of a large part of the legally prescribed duties of the division.

While this request was in the hands of the Council's Committee on Ordinances, it was deemed advisable, in view of criticisms of grammatical and logical inconsistency, to change the word "sanitary" to "sanitation" so as to make the name of the division read "Housing and Sanitation Division." The whole of the proposed ordinance, including the change of the word "sanitary" to "sanitation," was approved by the committee and immediately passed by the Council without objection.

Because of a slip in clerical procedure, the amendment appeared in the official transcript of the committee's action approving the amendment as it was originally introduced in the Council, designating the division as the "Housing and Sanitary Division" instead of as the "Housing and Sanitation Division," as approved by the committee.

I am advised that the necessary correction cannot be made except by a vote of the Council and I am accordingly asking that the amendment to the City Ordinances passed by the Council on January 18, 1937, and approved by the Mayor on January 22, 1937, be now amended, so as to make the designation of a "Housing and Sanitary" Division in the Health Department read a "Housing and Sanitation" Division.

Respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

—
City of Boston,
Law Department, January 22, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I return herewith the communication dated January 11 from the Health Commissioner to you in connection with suggested change in the ordinance relating to the creation of a Housing and Sanitary Division in the Health Department.

There is inclosed herewith a draft of an ordinance which will carry out the request of the Health Commissioner.

Respectfully yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

—
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 Ordinances of 1931 and as amended, in section two, by chapter one of the Ordinances of 1937, is hereby further amended by striking out the word "sanitary" in the third line of the first sentence of said section two, as so amended, and inserting, in place thereof, the word:—sanitation—so that the first sentence in said section two shall read as follows:—"The health commissioner shall establish the following

divisions of the health department: medical division, child hygiene division, housing and sanitation division, foods inspection division, laboratory division, vital statistics division, communicable diseases division, and tuberculosis division.

Referred to Committee on Ordinances.

UNDERPASS, HUNTINGTON AND MASSACHUSETTS AVENUES.

The following was received:

City of Boston,
Office of the Mayor, April 25, 1938.

To the Honorable City Council.

Gentlemen,—In view of the fact that it seems very probable that the Huntington Avenue Subway, as now being constructed, will be extended with the help of Federal Funds beyond the intersection of Massachusetts avenue, it is very desirable that provision should be made for the construction at the same time of a vehicular underpass in Huntington avenue, at its intersection with Massachusetts avenue, so as to provide very necessary relief to automobile traffic at this important center.

I am advised by the chairman of the Transit Commission that the total cost to the city of such underpass, if constructed in conjunction with the construction of the Huntington Avenue Subway, will not exceed three hundred thousand dollars (\$300,000).

I shall therefore petition the Legislature for the enactment of legislation providing for the construction of such an underpass and authorizing the City of Boston to incur debt outside the statutory limit of indebtedness.

Before the Legislature will act upon this petition their rules require approval by your Honorable Body. I am therefore inclosing copy of the proposed legislation, and a resolve approving the petition.

I respectfully recommend passage of this resolve. As the legislative year is drawing to a close, prompt action on the inclosed resolve is essential if we are to get the necessary authority to construct the underpass in time for construction to proceed simultaneously with the construction of the subway extension.

Respectfully,
MAURICE J. TOBIN, Mayor.

Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing the borrowing outside of the statutory debt limit by the City of Boston to meet the cost to the city of the construction of an underpass in Huntington avenue, at or near its intersection with Massachusetts avenue, in the City of Boston.

Referred to Executive Committee.

VETO OF SIDEWALK ORDERS.

The following was received:

City of Boston,
Office of the Mayor, April 20, 1938.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 13, 1938, for the making of a sidewalk along F street, from Seventh street to Broadway, 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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Office of the Mayor, April 20, 1938.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 11, 1938, for the making of a sidewalk along both sides of Alleghany street, Ward 10.

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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Office of the Mayor, April 20, 1938.

To the City Council,

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 11, 1938, for the making of a sidewalk along both sides of Terrace street, Ward 10.

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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Office of the Mayor, April 20, 1938.

To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 13, 1938, for the making of a sidewalk along West Sixth street, from F to D streets, 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,
MAURICE J. TOBIN, Mayor.

Severally placed on file.

PETITIONS REFERRED.

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

Claims.

James Baily, for compensation for damage to clothing caused by defective stairs, Boston Public Library.

Harry Davidson, for compensation for damage to car by city truck.

Frank Deltufo, Jr., for compensation for loss of articles at Columbia Road Municipal Building.

Dorothy T. Fisher, for compensation for injuries caused by an alleged defect at 103 Poplar street, Roslindale.

Joseph A. Gaffney *et al.*, for compensation for damage to property at 82 Arlington avenue, caused by negligent maintenance of city-owned property.

M. W. Gorham, for compensation for damage to car by city truck.

Julia A. Gosnell, for compensation for injuries caused by an alleged defect at 32 Templeton street.

Madeline McColgan, for compensation for injuries caused by an alleged defect at Ritchie street and Columbus avenue.

Estate of L. V. Niles, for refund on refuse tickets.

Ellen C. Painting, for compensation for injuries caused by an alleged defect at Milk and Congress streets.

Margaret Perrotti, for compensation for injuries caused by an alleged defect at 178 Salem street.

Charles G. Sahagian, for compensation for damage to property at 50 Armandine street, caused by water being shut off.

Annabelle Straight, for compensation for injuries caused by an alleged defect at Austin street, Roxbury.

Vozzella Brothers, for compensation for damage to property at 25 Arboretum road, Roslindale, caused by breaking of hydrant.

Elsie G. Wight, for compensation for injuries caused by an alleged defect at Exeter and Newbury streets.

Alfred P. Zuffante, for compensation for damage to car by city wagon.

Executive.

Petition of Margaret Riordan, Hospital Department, to be retired under Laborers' Retirement Act.

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

Mary Stanley, Jordan Hall, April 20.

May Griffin Donovan, Burke High School, April 30.

Gertrude Dolan, Jordan Hall, June 20.

Gertrude Dolan, Jordan Hall, June 13.

Freed-Abrams, Jordan Hall, May 31.

Ruth Hersh, Jordan Hall, June 7.

Boris Novikoff, Jordan Hall, May 21.

Doris W. Jones, Jordan Hall, June 6.

MINORS' LICENSES.

Applications for licenses were received from eighteen newsboys and eleven bootblacks. Licenses granted on usual conditions.

INTEREST IN CONTRACT.

Notice was received from William Lee, member of Board of Commissioners of School Buildings, of interest in several cases before Appellate Tax Board. Placed on file.

APPROVAL OF TAX TITLE LOAN.

Notice was received from the Emergency Finance Board of passage of vote approving tax title loan of City of Boston of \$500,000. Placed on file.

APPOINTMENT OF RICHARD F. TOBIN.

Notice was received by the City Clerk of appointment by the Mayor of Richard F. Tobin, 170

Public Welfare Department.

Central Office.

| | | |
|--------------------------|--------------|----------------|
| A. Personal Service..... | \$689,500 00 | |
| F. Special Items..... | 4,500,000 00 | \$5,189,500 00 |

Soldiers' Relief Department.

| | | |
|--------------------------|-------------|-----------------------|
| A. Personal Service..... | \$76,393 51 | |
| F. Special Items..... | 290,000 00 | 366,393 51 |
| | | <u>\$5,555,893 51</u> |

The report was accepted, and the order was passed under suspension of the rule, yeas 20, nays 0.

CONFIRMATION OF OFFICIAL CONSTABLES.

On motion of Coun. AGNEW the Council took up, under unfinished business, No. 3 on the calendar, viz.:

3. Action on appointments submitted by the Mayor April 13, 1938, of Constables connected with official positions, without authority to serve civil process, as contained in City Document No. 46.

The question came on confirmation. Committee, Coun. Shattuck and Sullivan. Whole number of ballots 17, yes 17, and the appointments were confirmed.

CONFIRMATION OF CIVIL PROCESS CONSTABLES.

Coun. AGNEW called up, under unfinished business, No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor April 11, 1938, of Constables authorized to serve civil process upon filing bond, as contained in City Document No. 43.

The question came on confirmation.

Coun. AGNEW—Mr. President, for the Committee on Constables, I would ask that certain names indicated by a circle in the list submitted herewith be now taken up for approval.

(The names referred to by Coun. Agnew, taken from the list in City Document No. 43, are as follows:)

Authorized to Serve Civil Process upon Filing Bonds.

William A. Amsie, 24 South Munroe terrace, Ward 16; David Belson, 66 Colborne road, Ward 21; Joseph L. Bennett, 20 Deekard street, Ward 12; Abram Bornstein, 1 Sunderland street, Ward 12; George A. Borofski, 213 Chestnut Hill avenue, Ward 22; Thomas F. Brett, 15 Malta street, Ward 18; Harold A. Brewster, 93 Roxbury street, Ward 9; Charles B. Broad, 94 Corey road, Ward 21; George W. Brooker, 121 Williams street, Ward 11; Francis E. Brown, 11 Tacoma street, Ward 18; Warren A. Brown, 107 Glenville avenue, Ward 21; William J. Callaghan, 25 Mendum street, Ward 20; Edgar F. Callahan, 84 Gordon street, Ward 21; Daniel B. Carmody, 10 Aberdeen street, Ward 21;

Roslindale avenue, Roslindale, now employed by city as Special Investigator and attached to Soldiers' Relief Department, to be Graves Registration Officer, for term ending December 31, 1938.

Placed on file.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. AGNEW, for the Committee on Appropriations, submitted report in regard to so much of the budget as relates to the Public Welfare Department, Central Office, \$5,189,500, and Soldiers' Relief Department, \$366,393.51,—recommending passage of following order, viz.:

Ordered, That the sum of \$5,555,893.51 be, and hereby is, appropriated, to be expended as herein-after specified, said amount to be met by taxes or other income; 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.

William K. Coburn, 116 Englewood avenue, Ward 21; Henry G. Dahlquist, 1743 Dorchester avenue, Ward 16; John J. Dault, 68 Adamson street, Ward 22; John J. Dillon, 32 Francis street, Ward 10; Robert E. Donlan, 55 Penfield street, Ward 20; Walter A. Donlan, 9 High View avenue, Ward 20; George H. Evans, 80 Clifford street, Ward 12; Paul R. Gast, 98 St. Rose street, Ward 11; Marks Goldstein, 31 Hiawatha road, Ward 18; Sears H. Grant, 645 Beacon street, Ward 5; John F. Halligan, 460 Quincy street, Ward 15; Joseph Herman, 93 Lucerne street, Ward 14; John H. Howard, 472 Gallivan Boulevard, Ward 16; Jacob Isgur, 82 Lorna road, Ward 18; Max Jacobs, 49 Chambers street, Ward 3; Harry Kahn, 140 Seaver street, Ward 12; Bronis Kontrim, 120 Marine road, Ward 7; Nathan Kravitsky, 306 Washington street, Ward 14; Alfonso Lambiasi, 166 Huntington avenue, Ward 4; John A. May, 50 Tonawanda street, Ward 17; John T. McGovern, 34 Worcester square, Ward 8; John J. Murphy, 80 Sanborn avenue, Ward 20; Michael W. Ober, 33 Hazleton street, Ward 14; Nachman Perlman, 951 Blue Hill avenue, Ward 14; Phillip S. Phillips, 829 Blue Hill avenue, Ward 14; Max Rabinovitz, 36 Wilder street, Ward 14; Alfred Rudin, 21 Wales street, Ward 14; Albert M. Sacks, 19 Brenton street, Ward 14; Alfred N. Sarno, 22 Juniper street, Ward 9; Almerindo Sarno, 1 Cedar square, Ward 9; Frederick J. Sarno, 1 Cedar square, Ward 9; Isaac Shulman, 128 Devon street, Ward 14; Joseph L. Shurtleff, 504 Massachusetts avenue, Ward 9; Henry J. D. Small, 14 Windermere road, Ward 13; Frank J. Staula, 227 Wood avenue, Ward 18; Jerome Suvale, 19 Owen street, Ward 18; 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, 67 Worcester street, Ward 9; Roman J. Vasil, 11 Granada avenue, Ward 18; Frank F. Wenerstrand, 219 Belgrade avenue, Ward 20; Andrew L. Wessling, 11 Larkhill road, Ward 20; John A. Wragg, 62 Shepton street, Ward 16; Maurice Zeeman, 1156 Commonwealth avenue, Ward 21.

The question came on confirmation of the names indicated.

Coun. IRWIN—Mr. President, I rise to a point of information. I would like to know why we are not voting on the whole list?

Coun. AGNEW—Because there are certain complaints that have been filed against those whose names are not indicated, and when those complaints have been heard and the complaints have been satisfactorily explained, the other names will be reported favorably by the committee.

Coun. IRWIN—Do I understand, Mr. President, that the names not read will not be constables?

President KERRIGAN—No, that they will be given further consideration and will come before the body later.

The question came on confirmation of the above names. Committee, Coun. Irwin and Lyons. Whole number of ballots 17; yes 14, no 3, and the names were confirmed.

CONFIRMATION OF MINOR APPOINTMENTS.

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

2. Action on appointments submitted by the Mayor April 11, 1938, of Weighers of Coal and other minor officers paid by fees, as contained in City Document No. 44.

The question came on confirmation of the appointments set forth in the document. Committee, Coun. Agnew and Galvin. Whole number of ballots 17; yes 15, no 2, and the appointments were confirmed.

SOLDIERS' RELIEF.

Coun. IRWIN, for the Committee on Soldiers' Relief, submitted report recommending passage of orders for payment to soldiers and sailors and their families in the City of Boston for the month of April.

Report accepted; order passed

PAYMENT TO PARENTS OF JOHN MCGONAGLE.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the payment of a sum of money to the parents of the late John McGonagle, who was killed while playing on the Morton Street Playground, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF JOSEPH TAYLOR.

Coun. FITZGERALD offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation authorizing the payment of a sum of money to the parents of the late Joseph Taylor, who was drowned while bathing at Charlesbank Beach, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

WAITING STATION BOOTH.

Coun. ROSENBERG offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to consider the advisability of erecting a waiting station booth at the junction of Blue Hill avenue and Seaver street.

Passed under suspension of the rule.

ADDITIONAL INVESTIGATORS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Director of the Public Welfare Department with the view to assigning additional investigators in that department to take care of applicants for W. P. A. employment.

Coun. ROSENBERG—Mr. President, referring to the order I have just presented relative to the need of additional investigators in the Welfare Department to take care of the investigation of hundreds of applications that are being filed for W. P. A. work daily at the Welfare office, it appears from the information that I have received that some persons, and particularly those persons who

have filed applications and who are in dire need of assistance, have waited in vain from five to seven weeks, without having an investigator call at their homes. I have made inquiry and find that there are but three investigators who are assigned for the purpose of certification, and when we consider that these investigators have to cover the entire city, how few cases they can be expected to certify. I feel that the investigators are, themselves, doing everything possible to cope with the situation, but it is not humanly possible for them to investigate the hundreds of applications that are pending. Applicants have, week after week, returned to the offices of the Public Welfare Department with the hope that some action will be taken to relieve their problem of employment, but receive the reply that their application will be taken care of as soon as possible. It is important that some action be taken and some assurances given to these people who are desirous of securing work rather than receive welfare aid, that they receive some definite assurance from the department that they are actually going to be investigated, or that their waiting is a hopeless proposition. Some of the applicants have said "that at the rate of progress now being made in these investigations, it would be possible to starve in the time now taken before certification is made." Let us not "kid" these applicants, but let us exercise every effort to place additional investigators at work in the Welfare Department and take care of the applications now growing old, and also the current applications as presented. I trust that his Honor the Mayor will immediately confer with the Board of Overseers of the Public Welfare and see to it that the citizens of Boston are given the opportunity of being investigated with promptness, and if no employment is available, advised of the facts.

ACCEPTANCE OF JACOB STREET.

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, under the W. P. A. type of construction, Jacob street, Ward 14.

Passed under suspension of the rule.

PAYMENT TO WIDOW AND CHILDREN OF THOMAS J. SULLIVAN.

Coun. SULLIVAN offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the payment of an annuity to the widow and dependent children of the late Thomas J. Sullivan, a member of the Police Department, who died as the result of injuries received while in the performance of his duties, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 11 STREETS.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway Codman Hill street, Ward 11.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway School Street place, Ward 11.

Severally passed under suspension of the rule.

SIDEWALK CONSTRUCTION.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Washington street, between Illey road and Chilcott place, Ward 11, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of 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 Walnut park, junction of Walnut avenue, for a distance of 90 feet, in front of the Swedish Church, Ward 11, said sidewalk to 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 edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

ACCEPTANCE OF SHERWOOD STREET, WARD 8.

Coun. DOWD offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway, Sherwood street, Ward 8.

Passed under suspension of the rule.

SOFT COAL DUST IN SOUTH BOSTON.

Coun. KERRIGAN and GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to direct the Health Department of the City of Boston to investigate into conditions in the vicinity of that part of South Boston between City Point and Christopher J. Lee Playground, caused by soft coal dust from such coal, attributable to the manner in which such coal is stored and handled on various premises and public ways in that vicinity, and that the department be requested to take such steps as may be proper to improve such conditions without placing an unfair burden upon the owners or users of said coal, and to report on or before the 16th day of May, 1938, the result of its investigation and its recommendations, if any.

Passed under suspension of the rule.

PAYMENTS TO DEPENDENTS OF WILLIAM GUSTIN.

Coun. IRWIN offered the following:

Resolved, That the City of Boston be authorized to pay a sum of money to the dependents of William Gustin, who died as the result of injuries incurred while in the performance of his duties as a member of the Police Department of the City of Boston, provided that such legislation includes a referendum to the Mayor and City Council.

Passed under suspension of the rule.

CONSTRUCTION OF STREETS, WARD 18.

Coun. TAYLOR, for Coun. Norton, 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 way Owen street, Ward 18, under the W. P. A. type of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public way Rockingham road, Ward 18, under the W. P. A. type of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public way Savannah avenue, Ward 18, under the W. P. A. type of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out as a public way Otis place, Ward 18, under the W. P. A. type of construction.

Severally passed under suspension of the rule.

REPAINTING OF CROSS LINES, BENNINGTON STREET.

Coun. IRWIN offered the following:

Ordered, That his Honor the Mayor instruct the Traffic Commission to repaint the cross-walk lines

and safety zone boxes along Bennington street, from Neptune road to Orient Heights, and also to make a survey of this area and establish better protection for pedestrians.

Passed under suspension of the rule.

SIDEWALKS, DUNCAN STREET.

Coun. KELLY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on both sides of Duncan street, Ward 15, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RECONSTRUCTION OF HOLIDAY STREET.

Coun. KELLY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reconstruct Holiday street, between Toplift street and Geneva avenue, Ward 15, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.47 p. m., on motion of Coun. HARRIS, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 3.07 p. m.

BEACH AND RECREATIONAL FIELD, BROWN'S WHARF.

Coun. IRWIN offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of constructing a bathing beach and recreational field on the property, now owned by the city and known as Brown's Wharf, located at 336 Border street, East Boston.

Coun. IRWIN—Mr. President, this will cost the City of Boston a very small sum of money and will at the same time take the place of something that the people of East Boston have had in the recreational line. This property occupies an area of about 210,000 square feet and has a water frontage of about 200 linear feet. It was acquired by the City of Boston on tax foreclosure sale in 1935, for unpaid taxes of about \$35,000, and it has an assessed valuation of \$99,200. The wharves on this property have been unused for years and are unfit for any kind of use, being rotted throughout. These wharves can be removed for a price of approximately \$10,000. A fine piece of property would then be available for the development of a fine bathing beach and children's recreation field. The location of the property is central to a congested section of East Boston that is without bathing facilities of any kind. A survey should be made by the proper authorities to determine the entire feasibility of this suggestion. The development could be made a W. P. A. project and would give a measure of safety to children who now swim around abandoned wharves that are virtual death traps. I certainly hope that the Council will pass the order.

The order was passed under suspension of the rule.

RECONSTRUCTION OF HUNTINGTON AVENUE.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in the plans for the reconstruction of Huntington avenue, between Copley square and Gainsborough street, after the subway work has been completed, the erection of a 7-foot grass plot safety island to replace the present street car reservation, both as a protection to pedestrians who have occasion to cross this thoroughfare and as a means of preventing the use of same as a speedway for automobiles.

Passed under suspension of the rule.

BROTHERHOOD DAY MEETING.

Coun. GEORGE A. MURRAY, for the Committee on Rules, submitted a report on the order (referred April 13) that the President of the City Council be requested to appoint a committee of three members of the Council to represent the city at the Brotherhood Day Meeting to be held at Faneuil Hall on the evening of April 26—that the same ought to pass.

The report was accepted and the order was passed.

President KERRIGAN appointed as said committee Coun. Hutchinson, Chase and Taylor.

LEAVE OF ABSENCE FOR VETERANS.

Coun. TAYLOR offered the following:

Ordered, That the City Council of Boston hereby accepts chapter 205 of the Acts of 1935, providing for leave of absence, without loss of pay, to all county employes for military duty at National Guard camps, or for duty in case of flood, fire and other emergencies.

Coun. TAYLOR—Mr. President, the Legislature passed in 1935 a law giving authority to cities and counties to give leave of absence, without loss of pay, to all county employes, for military duty at National Guard camps or for duty in case of flood, fire and other emergencies. In order for the act to be effective as far as the City of Boston or the County of Suffolk are concerned, it must necessarily receive the sanction of the Boston City Council. These men, who are public spirited enough to give their time and effort to the service of the public on such occasions, work that means the protection and the welfare of the people of our state, should not, as employes of the city or the county, suffer loss of pay upon such occasions. When they are called upon for military duty at National Guard camps or for duty in the interest of the public in case of fire, flood and other emergencies, I don't think they should be expected to give up the pay to which they would otherwise be entitled. I ask, therefore, that this order pass.

Coun. SHATTUCK—Mr. President, I am in sympathy with the order, but I am not clear as to what the law is now, whether the City of Boston has up to date taken any action which covers what is aimed at by the order. It is my impression, at least, as far as the members of the State Militia are concerned, that they now have the privilege of attending camps without loss of pay. Does this apply to them, or is it an extension of the provision to reserve officers?

President KERRIGAN—The order will be referred to the Executive Committee, where it can be properly considered.

Referred to Executive Committee.

TRAFFIC LINES, BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint the traffic lines on Blue Hill avenue, between Seaver street and American Legion Highway.

Passed under suspension of the rule.

PARKING REGULATIONS, KENWOOD STREET.

Coun. WILSON offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to advise the City Council what existing parking regulations are in effect with reference to Kenwood street, Dorchester.

Coun. WILSON—Mr. President, the reason why I have introduced this apparently simple order at this time is in view of the response of the Traffic Commissioner to an order which I introduced and which was passed on April 13, suggesting such a rule by the Traffic Commissioner as would prevent undue parking on streets intersecting Washington street because of the introduction of these so-called self-service A. & P. First National stores near the corner of Kenwood and Washington street. To that order we have received the very illuminating reply that "Kenwood street and those streets intersecting Washington street in the vicinity of Codman square

are used for parking purposes by persons shopping in the Codman square area,"—although this particular street, Kenwood street, is three streets removed. "To prohibit parking in these streets would seriously affect business in the Codman square district." I am not objecting to the legitimate small business man who has been earning a livelihood in that and other sections of the city for years, incidental to which there has been a limited amount of parking, but, nor enough to seriously affect business in the section. The traffic in connection with these self-service cash and carry chain stores, however, does seriously disturb business and traffic in the district, and destroys the values of residential property. I do not believe, with all due respect for the Traffic Commissioner, for whom I have the highest regard, that the present situation in this regard should be allowed to continue without regulation in that section. Therefore, I want to know what the existing parking regulations in effect with reference to Kenwood street are.

The order was passed under suspension of the rule.

ACCEPTANCE OF BUST OF DOCTOR SEARS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to advise the City Council what information was obtained by him in response to City Council order passed on March 28, 1938, reading as follows:

"Ordered, That the Boston Art Commission be requested, through his Honor the Mayor, to permit the early acceptance by the City Hospital Trustees of completed bust of Dr. George G. Sears incident to the munificent legacy left by the late Charles H. Tyler."

Coun. WILSON—Mr. President, about a month ago the Council was kind enough to pass two orders that I introduced. One was, to ascertain the present amount of a million-dollar legacy left by Mr. Charles H. Tyler to the City of Boston, and the other was an order requesting the Mayor to ascertain from the members of the Boston Art Commission information with reference to the bust of Dr. George G. Sears, that had been authorized by the trustees of the Boston City Hospital, that had been completed and had not been accepted by the City of Boston because of lack of action to that effect by the Art Commission. It seemed to me that that was a matter that should be cleaned up. A response came back from the Mayor's office that \$978,736.59 had already been received and that apparently since October, 1933, the fund had not been used for the erection of a City Hospital building and that there was some \$40,000 of accrued income. I may be more or less in error, but I am not one of those who believe that the Art Commission of the City of Boston, although it is very difficult to find them, live in any world apart. I think the City Council of Boston, the members of the Sears family, and the trustees of the Boston City Hospital, for example, as well as the world at large, move in a different sphere perhaps from the members of the Art Commission. But I do think that we are entitled to know the real reason, if there is one, why the bust of Doctor Sears is not accepted, or why some disposition of the matter is not made. So I again repeat my order of a month ago, feeling that we are entitled to this information, particularly since the bust in question is satisfactory to Doctor Sears and the members of his family as well as the Hospital Trustees. I think when the man himself feels that it is an excellent likeness, and the members of his family agree, it might, perhaps even in the eyes of the Art Commission, be looked upon as a reasonably close likeness.

The order was passed under suspension of the rule.

RECESS.

On motion of Coun. HARRIS the Council took a recess at 3 p. m., and reassembled at 3.15 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, 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.:

Mary Stanley, Jordan Hall, April 26; May Griffin Donovan, Burke High School, April 30; Gertrude Dolan, Jordan Hall, June 20; Gertrude Dolan, Jordan Hall, June 13; Freede-Abrams, Jordan Hall, May 31; Ruth Hersh, Jordan Hall, June 7; Boris Novikoff, Jordan Hall, May 21; Doris W. Jones, Jordan Hall, June 6—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

2. Report on petition of Margaret Riordan (referred April 25) to be retired under the Laborers' Retirement Act, Hospital 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 1914, Margaret Riordan, employed as a cleaner in the Hospital Department of the City of Boston.

Report accepted; said order passed under suspension of the rule.

3. Report on message of Mayor and order (referred today) with reference to approval of enactment of legislation authorizing borrowing outside of statutory debt limit—recommending passage in following new draft, viz.:

Resolved, That the City Council of Boston hereby approves the enactment of legislation authorizing the borrowing outside of the statutory debt limit by the City of Boston to meet the cost to the city of the construction of an underpass in Huntington avenue at or near its intersection with Massachusetts avenue, in the City of Boston, provided that such legislation includes a referendum to the Mayor and City Council.

Report accepted; resolve passed under suspension of the rule.

ACCEPTANCE OF WARD 20 STREETS.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out, under the W. P. A. plan of

construction, Howitt road, from LaGrange street to St. Theresa avenue, and Carroll street, from Lasell street to Veterans of Foreign Wars Parkway, Ward 20.

Passed under suspension of the rule.

RECONSTRUCTION OF INGLESIDE STREET.

Coun. HUTCHINSON offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reconstruct Ingleside street, Ward 13, under the W. P. A. plan of construction.

Passed under suspension of the rule.

CITY AUCTIONEER.

Coun. WILSON—Mr. President, I would like to ask the City Clerk, through you, whether there is a city auctioneer for the City of Boston?

President KERRIGAN—The City Clerk states that he has no information in regard to that.

ARC LIGHTS ON HOLTON STREET.

Coun. SULLIVAN offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install arc lights on Holton street, in front of St. Anthony's Church, Allston, on that part of Holton street between Everett and Antwerp streets, and on Brooks street, from Faneuil street to the Brooks Street Congregational Church.

Passed under suspension of the rule.

Adjourned, on motion of Coun. ROSENBERG, at 3.25 p. m., to meet on Monday, May 2, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 2, 1938.

Regular meeting of the City Council held in Faneuil Hall at 2 p. m. President KER-RIGAN presiding and all the members present.

JURORS DRAWN.

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

Twenty-two special grand jurors, Superior Criminal Court, to appear May 23, 1938:

John Joseph Cosgrove, Ward 2; John J. Flavin, Ward 2; Thomas Joyce, Ward 3; Joseph H. Thomas, Ward 12; Harry Freedman, Ward 14; Max Newmark, Ward 14; James F. Dunphy, Ward 15; Thomas F. Jennings, Ward 15; William J. Sullivan, Ward 15; Edgar E. MacLeod, Ward 16; Joseph P. McDonough, Ward 16; Robert F. Winn, Ward 16; William J. Bourne, Ward 17; Michael J. McGrath, Ward 17; Arthur Isherwood, Ward 18; Raymond A. Sanborn, Ward 18; George Hinderscheid, Ward 19; Joseph Morrish, Ward 19; Frank L. Temple, Ward 19; Thomas Edwards, Ward 20; Henry J. Haas, Ward 20; Edwin J. Hurrell, Ward 22.

Eighty-two traverse jurors, Superior Criminal Court, to appear June 6, 1938:

Albert M. Anderson, Ward 1; Warren J. Carbone, Ward 1; Charles R. Cutcliffe, Ward 1; Madison W. Fay, Ward 1; Richard F. Gallagher, Ward 1; John J. Sullivan, Ward 1; Frank E. Bergen, Ward 2; Henry L. Harrington, Ward 2; James C. Sullivan, Ward 2; Salvatore Filicicchia, Ward 3; Thomas C. Murch, Ward 3; Anthony Perrotti, Ward 3; John Brown, Ward 4; John Linde, Ward 4; Myles J. Mulhall, Ward 4; Henry S. Woodrow, Ward 4; Samuel Barovitz, Ward 5; Theodore G. Holcombe, Ward 5; William McKennan, Ward 5; James P. Aylward, Ward 6; Richard H. Barnes, Ward 6; William F. Drummey, Ward 6; Thomas F. Flaherty, Ward 6; Hugh W. McNeil, Ward 6; Colman J. Feeney, Ward 7; John C. Dangora, Ward 8; Daniel C. McCusker, Ward 8; Lester T. Hanley, Ward 10; Frederick J. Healey, Ward 10; Frederick Brinkert, Ward 11; Francis H. Cushing, Ward 11; Joseph P. Kohler, Ward 11; James A. Palmer, Ward 11; Fred S. Abbott, Ward 12; Clarence L. Brown, Ward 12; William Dyer, Ward 12; Robert Stone, Ward 12; David D. Barry, Ward 13; Hugh J. Gilligan, Ward 13; Gerald D. Healy, Ward 13; Issy Feldberg, Ward 14; Joseph Levy, Ward 14; Samuel Orenstein, Ward 14; Reuben Randell, Ward 14; Samuel Richmond, Ward 14; Philip Rosenberg, Ward 14; Henry G. Bruno, Ward 15; Herbert T. Chambers, Ward 15; Jerome W. Daly, Ward 15; Kenneth C. Hadley, Ward 15; Arthur L. Milloy, Ward 15; Charles A. Ryan, Ward 15; John J. Shea, Ward 15; James A. Bateman, Ward 16; Martin J. Casey, Ward 16; Michael L. King, Ward 16; Joseph G. Archilles, Ward 17; Clarence L. Cleaves, Ward 17; George H. Hall, Ward 17; James L. Sullivan, Ward 17; Paul Beigbeder, Ward 18; Harold E. Carpenter, Ward 18; Thomas E. Coulthurst, Ward 18; Francis A. Curtis, Ward 18; Winfred B. Gifford, Ward 18; John A. Caskie, Ward 19; Charles C. Dailey, Ward 19; C. Herbert Jackson, Jr., Ward 19; Peter Ketvertis, Ward 19; Benjamin D. Manton, Ward 19; Gustav T. Peterson, Ward 19; Maurice Stroock, Ward 19; James C. Dybes, Ward 20; Clarence E. Emerson, Ward 20;

James C. Marble, Ward 20; Joseph A. Patterson, Ward 20; Everett C. Goldsmith, Ward 21; Benjamin D. Ambrose, Ward 22; William F. Budka, Ward 22; Patrick B. Hayes, Ward 22; Joseph Hurwitz, Ward 22; Albert H. Rubinovitz, Ward 22.

Eighty-four traverse jurors, Superior Civil Court, to appear June 6, 1938:

Michael Gallivan, Ward 1; George O. Hemenway, Ward 1; William Joseph McKenna, Ward 1; John F. Clark, Ward 2; John H. Driscoll, Ward 2; William J. Moran, Ward 2; Charles J. McGough, Ward 2; Harry L. Black, Ward 3; Francis A. Bragan, Ward 3; Robert Olivari, Ward 3; James J. Atwood, Ward 4; Joseph M. Barr, Ward 4; Freedom F. Dunham, Ward 4; Thomas E. Gaughan, Ward 4; Harry P. Horton, Ward 4; James E. Collins, Ward 5; Joseph D. Hopkins, Ward 5; John D. McLean, Ward 5; William F. Batts, Ward 7; Frederick J. Paris, Ward 7; John R. McCarthy, Ward 7; John L. Robinson, Ward 7; John J. Whalen, Ward 7; Orrin N. Eldridge, Ward 8; John P. Foley, Ward 8; George E. Lewis, Ward 8; John J. O'Brien, Ward 8; Herman H. Patterson, Ward 8; Howard A. Smith, Ward 8; Edward J. Dunlop, Ward 9; Edmund Henry, Ward 9; George M. Wilson, Ward 9; Albert A. Phinn, Ward 10; Henry M. White, Ward 10; Francis J. Brennan, Ward 12; Arthur J. Glennon, Ward 12; Anthony Joseph McLaughlin, Ward 12; John W. Power, Ward 12; Alphonso Wallace, Ward 12; John J. Adams, Ward 13; John F. Donahue, Ward 13; James L. Donovan, Ward 13; Edward F. Miller, Ward 13; James J. Cronin, Ward 14; Harold J. Golden, Ward 14; Samuel Matross, Ward 14; Nathan Simon, Ward 14; David Brettman, Ward 15; Robert J. Curry, Ward 15; William J. Kelley, Ward 15; James A. McQuade, Ward 15; Henry D. Blasser, Ward 16; Walter J. Coughlin, Ward 16; William Evans, Ward 16; Patrick J. Hanlon, Ward 16; Clarence J. Laverty, Ward 16; George A. Melchin, Ward 16; John Jackson, Ward 17; Charles F. Menzel, Ward 17; John A. McInnis, Ward 17; John E. Murdock, Ward 17; Daniel F. Ryan, Ward 17; Charles N. Sisson, Ward 17; Joseph P. Travers, Ward 17; Melville A. Morris, Ward 18; William H. Peterson, Ward 19; George P. Rupert, Ward 19; William H. Ward, Ward 19; Francis P. Hourihan, Ward 20; William B. Kelleher, Ward 20; Ralph Kolseth, Ward 20; Arthur H. Saunders, Ward 20; Leonard Beedle, Ward 21; John James Cullen, Ward 21; William E. Harkins, Ward 21; Gerald F. Hurley, Ward 21; William G. Lynch, Ward 21; Samuel R. Slater, Ward 21; Franklin W. Wolf, Ward 21; William P. Cullen, Ward 22; Raymond B. Mason, Ward 22; Edward C. McManus, Ward 22; Arthur Simons, Ward 22; Walter C. Gillis, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Constables, for term ending April 30, 1939, with authority to serve civil process upon the filing of bonds:

Thomas M. Calafato, 33 Chelsea street, Ward 1; Jacob Goldberg, 337 Charles street, Ward 3; Albert A. Levine, 7 Quincy street, Ward 12; John J. Miller, 45 Nottinghill road, Ward 21; Herbert Rosenberg, 65 Lanark road, Ward 21; Jacob E. Schrank, 231 Harvard avenue, Ward 21; Harry L. Silva, 32 Wilder street, Ward 14; Louis Sykes, 39 Delle avenue, Ward 10; David Weir, 1289 Commonwealth avenue, Ward 21.

Weighters of Goods: David E. Wiggan, Westwood, Mass.; Charles T. Aylward, 81 Lincoln street, Winthrop, Mass.; Wilfred Landry, 144 Princeton street, East Boston, Mass.; Austin E. Rowe, 196 Bonad road, Brookline, Mass.; Tina Braccia, 230 Boston street, Dorchester, Mass.

Severally laid over to the next meeting under the law.

ADMISSION TO BOSTON SANATORIUM.

The following was received:

City of Boston,
Office of the Mayor, May 2, 1938,
To the City Council.

Gentlemen,—I transmit herewith a letter from the President of the Board of Trustees of the Boston City Hospital relative to your order of April 13, 1938, concerning a resident for over five consecutive years of the City of Boston being barred from admission to the Boston Sanatorium at Mattapan if such resident, at any time, received a welfare allowance from the city.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, April 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on April 22, the following order of the City Council was presented:

"Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council whether a Boston resident for over five consecutive years is barred from admission to the Boston Sanatorium at Mattapan if such resident at any time received a welfare allowance from the city."

The following is a copy of the Settlement Laws, which I believe will explain this matter:

Chapter 116. Title: Settlement.

Section 1. Each person, who after reaching the age of twenty-one has resided in any town within the commonwealth for five consecutive years, shall thereby acquire a settlement in such town.

Section 2. No person shall acquire a settlement, or be in the process of acquiring a settlement, while receiving public relief other than aid received under chapter one hundred and fifteen unless, within two years after receiving such relief, he tenders reimbursement of the cost thereof to the commonwealth or to the town furnishing it.

Section 4. If a soldier or dependent of a soldier eligible to receive military aid or soldiers' relief under chapter one hundred and fifteen receives aid or treatment in any hospital or other institution, such aid or treatment shall not have the effect of preventing or defeating the acquisition of a legal settlement.

Respectfully yours,
JOSEPH P. MANNING,
President, Board of Trustees.

Placed on file.

DWELLINGS UNFIT FOR HABITATION.

The following was received:

City of Boston,
Office of the Mayor, April 28 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your order of April 13, 1938, concerning the making of an examination, survey and report with reference to dwelling structures in Boston listed by the City Planning Board in its 1935 Real Estate Inventory as unfit and unsafe for habitation, namely, 1509 dwelling structures, or 3,912 dwelling units.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, April 26, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—This is a report, as requested, to the office of the Mayor upon the subject of the order from the City Council, dated April 13, 1938, "That the Health Commissioner and Building Commissioner be requested, through his Honor the Mayor, to make an examination, survey and report with reference to dwelling

structures in Boston listed by the City Planning Board in its 1935 Real Estate Inventory as unfit and unsafe for habitation, namely, 1,509 dwelling structures, or 3,912 dwelling units."

I find by consulting the Planning Board that the listing by the Planning Board in 1935 of 1,509 dwelling structures and 3,912 dwelling units as unfit and unsafe for habitation is not in fact a listing, and that the identifications of these structures could only be made by a perusal of some 5,000 schedules made as a W. P. A. project.

After several conferences with the Building Commissioner, Mr. Mooney, it seems wise that the Building Department make a survey of the city with a view to determining the identity of such structures as are unsafe and unfit for dwelling purposes.

The Health Department will work along with the Building Department in securing the desired information.

Yours respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

RELEASE OF SEWER EASEMENT.

The following was received:

City of Boston,
Office of the Mayor, May 2, 1938.
To the City Council.

Gentlemen,—In 1934 the City of Boston took for sewerage works a drain on the property of the New York, New Haven & Hartford Railroad Company. The city's right in this easement is open to question. Therefore, in consideration for a new easement granted to the city by the Railroad Company, the city will release all right, title and interest in the old drain easement. In order to clear up any legal entanglements in the future, I recommend that the accompanying order be passed by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, April 16, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Inclosed please find an order authorizing the discontinuance of a drain in the property of the New York, New Haven & Hartford Railroad at Hyde Park. In the order it is provided that the New York, New Haven & Hartford Railroad Company by an instrument in writing satisfactory to the Law Department of the City of Boston grants to the City of Boston the right to maintain sewerage works in certain parcels of land more fully set forth in an instrument of taking, recorded with Suffolk Deeds, Book 5453, page 599.

By a resolve and order of the Board of Street Commissioners, approved by the Mayor of Boston May 14, 1934, the Board of Street Commissioners of the City of Boston took for sewerage works the right and easement fully described in said resolve and order which is recorded with Suffolk Deeds, Book 5453, page 599.

The New York, New Haven & Hartford Railroad Company began proceedings against the City of Boston for damages on account of the taking of said easement by said resolve and order.

There is an old drain crossing the land of the New York, New Haven & Hartford Railroad Company at Hyde Park which is no longer needed by the City of Boston for public purposes and it is proposed that the city abandon its right to maintain the said old drain in consideration of the New York, New Haven & Hartford Railroad Company, by an instrument in writing satisfactory to the Law Department of the City of Boston, granting to the said City of Boston the right to maintain the said new drain and the releasing of all damages on account of the said taking of

the said new drain and the discontinuance of all proceedings in court to obtain said damages.

If this matter meets with your approval, please have the inclosed order introduced in the City Council.

Very truly yours,

WALTER J. O'MALLEY,
Assistant Corporation Counsel.

Whereas, Acting under the authority of chapter 257, Acts of 1896, entitled "An Act to Require Alterations in the Crossings of Public and Private Ways with Railroads in the Towns of Hyde Park and Dedham, and to Permit the Use of Electric Power on the Dedham Branches of the New York, New Haven and Hartford Railroad," certain grade crossings, including the grade crossing situate in Hyde Park adjacent to Hyde Park avenue, were altered and certain drains were built, including a drain beginning at a manhole in the center of Hyde Park avenue and running across the land of the New England Railroad Company to the Neponset river, as is more particularly described in a petition recorded with Norfolk Deeds, Book 787, page 421; and

Whereas, The said drain is no longer needed for public purposes; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of Boston on May 14, 1934, the said Board of Street Commissioners took for sewerage works the lands, rights and easements fully described in said instrument of taking recorded with Suffolk Deeds, Book 5453, page 599, the said sewer running through the land of the New York, New Haven & Hartford Railroad Company; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized to abandon the drain which was laid out under the authority of chapter 257, Acts of 1896, and to release to Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, trustees of the New York, New Haven & Hartford Railroad Company, debtor, all rights which it may have to maintain said drain upon the said property of the New York, New Haven & Hartford Railroad Company, when and if the said New York, New Haven & Hartford Railroad Company, in consideration of the said release to it by the City of Boston, releases the City of Boston by an instrument in writing, satisfactory in form to the Law Department of the City of Boston, from all claims and demands for damages caused by or in any way growing out of the abandonment of the said drain and also grants to the City of Boston by an instrument in writing, satisfactory in form to the Law Department of the City of Boston, the right and easement to use for sewerage works the land of the New York, New Haven & Hartford Railroad Company set forth in the said taking, recorded with Suffolk Deeds, Book 5453, page 599, and also causes proceedings brought in the Superior Court for the County of Suffolk in the case of the New York, New Haven & Hartford Railroad Company, plaintiff, and the City of Boston, defendant, and numbered 310028 in the present numbering of the docket of said Superior Court, to be discontinued, satisfied and abandoned.

Referred to Committee on Public Lands.

CONSTRUCTION OF BUILDINGS OVER STONY BROOK.

The following was received:

City of Boston,
Office of the Mayor, May 2, 1938.

To the City Council.

Gentlemen,—The inclosed order grants to one Patrick Rinn the right to construct a building on his premises over Stony brook. The plans for said construction have been ap-

proved by the Public Works Department, and there appears to be no valid objection to the granting of such right. I therefore recommend passage of the accompanying order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, April 22, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Inclosed herewith is an order relative to a request of Patrick Rinn, sometimes called Patrick J. Rinn, for permission to construct a building on his premises numbered 19 to 27, inclusive, Corinth street, over the Roslindale branch of Stony brook now known as Hewlett street brook, a branch of said Stony brook.

The plans for the proposed construction of said building over said brook have been approved by the Public Works Department.

If the order meets with your approval it may be introduced in the City Council.

Respectfully,
HENRY PARKMAN, JR.,
Corporation Counsel.

Whereas, The Board of Aldermen of the City of Boston by a resolve and order, approved by the Mayor of Boston July 17, 1891, took for the purpose of sewerage drainage works an easement in certain parcels of land situated in that part of Boston called Roslindale, and diverted the water of a stream or water course known as the Roslindale branch of Stony brook, reserving to the respective owners of said parcels of land, and their heirs and assigns, the right to use the covering or embankment of the channel of said Stony brook in such manner as shall not interfere with or endanger the right of the City of Boston to use the same as a covered channel, as is more particularly set forth in said resolve and order; and

Whereas, Patrick Rinn, sometimes called Patrick J. Rinn, is the owner of a portion of the premises, namely, lot 15, referred to in said resolve and order and is desirous of placing a building over said channel in a manner satisfactory to the Commissioner of Public Works of the City of Boston and in accordance with the provisions set forth in said resolve and order; now, therefore, it is hereby

Ordered, that his Honor the Mayor be, and he hereby is, authorized to execute and deliver, in the name and behalf of the City of Boston, a license wherein the said Patrick Rinn, sometimes called Patrick J. Rinn, is authorized to place a building on said lot 15 extending over said Stony brook in accordance with the plans approved as to position and construction of said building by said Commissioner of Public Works and wherein the City of Boston reserves the right to go upon the said premises at all times for the purpose of maintaining, repairing and reconstructing said channel now known as Hewlett street brook, a branch of said Stony brook, and all and any drainage or sewerage facilities incidental thereto.

Referred to Committee on Public Lands.

REFUNDING LOAN OF \$7,000,000.

The following was received:

City of Boston,
Office of the Mayor, May 2, 1938.
To the City Council.

Gentlemen,—I submit herewith an order providing that under the provisions of chapter 235 of the Acts of 1938 the sum of \$7,000,000 be secured through the issuance of bonds and the proceeds used to meet over-ly deficits either now existing or which will subsequently arise when certain uncollectible items now carried as assets on the accounts of the city are canceled by abatement. The

following table indicates the distribution of these existing and anticipated deficits:

| | |
|---|-------------|
| Abatements granted by assessors for years 1932 to 1936, inclusive, in excess of overlay accounts set off in the tax levies of the years affected by the abatements..... | \$2,000,000 |
| Poll taxes outstanding for years prior to 1937 which are probably uncollectible..... | 1,700,000 |
| Personal property taxes outstanding for years prior to 1937 which are probably uncollectible..... | 1,000,000 |
| Old Age Assistance taxes due from Commonwealth for years prior to 1934 on which refund time limit has expired..... | 175,000 |
| Abatements in excess of existing overlays anticipated because of petitions pending before the Board of Tax Appeals..... | 2,000,000 |

Under ordinary circumstances these deficits would be taken care of by including an appropriation within the tax levy. Such action if taken this year would mean an increase in the tax rate of over \$4.00. It is obvious that this additional tax burden cannot be borne at this time by the owners of property in the city. It is therefore proposed that the deficits shall be funded and the cost spread over a period of fifteen years rather than being imposed in one lump sum on the taxpayers of the city.

It is desirable that authority to issue these funding bonds be secured as soon as possible. I therefore recommend immediate consideration and adoption of the accompanying order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That under the provisions of chapter 235 of the Acts of 1938, the sum of \$7,000,000 be, and hereby is, appropriated, to be used for the funding of overlay deficits and other items, 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 Executive Committee.

PETITIONS REFERRED.

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

Claims.

Nahael Bourjarky, for refund on lodging house license.

Morris Cutler, for compensation for damage to car by Sanitary truck.

John A. Farrell *et al.*, for compensation for damage to property and injuries caused by city truck.

Joseph F. Freno, for compensation for damage to car by city cart.

Roger C. Gardiner, for compensation for damage to car by snowplow.

Thomas P. Greeley, for compensation for damage to car by garbage team.

Joseph Lupo, for compensation for accident caused by snowplow.

Rose Milani, for refund on soft drink license.

Mary O'Neil, for compensation for injuries caused by an alleged defect at 56 Draper street, Dorchester.

Pasquale Pecitti, for refund on dog license. Prospect Knitting Mills, Inc., for refund on refuse tickets.

E. A. Raphael Company, to be paid for overdue rental on typewriters.

E. A. Raphael Company, to be paid for typewriters lost by Public Welfare Department.

Celia Sidell, for compensation for damage to car by city truck.

John Weisberg, for refund on victualler's license.

Executive.

Petition of Helen V. Bradley to be paid an annuity on account of death of her husband, Philip J. Bradley, a member of the Fire Department.

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

Shirley Norris Scott, Recital Hall, June 6.

Frank M. Bell, New England Conservatory, June 13.

GARBAGE COLLECTIONS.

The following was received:

City of Boston,

Finance Commission, April 28, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Honorable Sir,—The Finance Commission has reported to your predecessors in office many times in the past decade upon the possibility and propriety of reducing the annual cost of the collection and disposal of garbage and refuse. The probable demands in the near future for greater appropriations to permit the continuance of the existing character and methods of collection and disposal make it necessary at this time to consider whether or not there is opportunity to save money by a change in the method of collection without impairment of this service.

A representative of the Finance Commission has discussed this matter with you within a short time and has reported that you are ready to make such changes as seem warranted. Therefore, the Finance Commission desires to place the facts before you in an official report.

In its previous reports on this subject the commission has recommended the substitution of collection by contract in the five districts of the city wherein the service is rendered now by city labor. The basis of this recommendation was that collection by contractors usually costs the city about one third as much as the cost of collection by city labor.

In bringing up the matter at this time the members of the commission realize that it opens up again a controversy of long standing, namely, whether the city should have the work performed by contractors or by employees hired directly by the city. The members of the commission believe, nevertheless, that, in view of the present grave need of curtailing city expenditures, the subject is worth careful analysis. Such a change as has previously been recommended by the commission would mean, conservatively estimated, a reduction in cost running into \$100,000 or more.

The principal opposition to contract collection has been worked up around the point that some contractors do not pay a living wage to the men they employ. There is no doubt in the minds of the members of the Finance Commission that this point is well taken. A majority of the members of the commission believe, however, that the city officials are not blameless for this condition.

The contracts annually written in the five contract districts require the contractors to pay the rate of wages recognized generally as fair and adequate. When a contractor ignores this provision and hires men at a lower wage scale and is not punished for it, it is only because the city officials whose duty it is to supervise the contractors have closed their eyes to this violation of their contracts.

The Finance Commission, therefore, now has in mind, in bringing the possibility of a saving by a change in method to your attention, that contractors of the present and the future will be required to comply strictly with the requirements of the contracts in all matters, particularly in the matter of the wages paid their employees; otherwise any change in the present method will be of doubtful value.

The recommendation made in previous reports was that the city authorities begin the gradual extension of collection of garbage and refuse by contract to the five large districts of the city wherein the work is performed mainly by the day labor method, *i. e.*, by city employees. In each previous report the commission gave figures showing that the cost of collection and disposal by day labor method was almost three times as great as the cost of collection by contract. This present report contains comparative costs of a more recent period. These later figures coincide, in comparative costs, with the findings of previous surveys.

The argument offered publicly by department officials in the past against the acceptance of the recommendation of the Finance Commission was that collection in the districts now handled by city labor would not be possible by contractors for various reasons, chief of which was that in these districts collection is mostly from back alleys and narrow ways into which contractors' large trucks would

have difficulty entering. The commission has long been cognizant that the real reason, however, was that it was feared that replacement of the system of collection by city labor by contract collection would result in the loss of positions by many on the city pay roll.

At the present time there is opportunity to start the gradual change to the cheaper method without seriously affecting any now on the pay roll. Officials in charge of the Sanitary Division claim that their staff of employees is now so depleted that, to continue to guarantee regular collection, it will be necessary to make provision in this year's budget for the appointment of 220 new laborers in the Sanitary Division. This would mean a pay roll rate increase of approximately \$300,000.

If these additional employees are provided for, it will mean perpetuation of the present system. Yet, adhering to this present system has cost the city many thousands of dollars annually more than is necessary to have the work performed. Careful study of the following figures amply proves this point.

TABLE SHOWING COSTS OF GARBAGE AND REFUSE COLLECTION FOR YEAR 1936 IN DISTRICTS COLLECTED BY CITY LABOR.

| DISTRICTS. | Population. | Cost. | Cubic Yards. | Cost Per Yard. | Cost Per Capita. |
|--------------------------------|-------------|----------------|--------------|----------------|------------------|
| 1. South Boston..... | 60,704 | \$129,905 13 | 94,865 | \$1.3679 | \$2.14 |
| 3. Charlestown..... | 29,752 | 65,216 40 | 44,045 | 1.4806 | 2.192 |
| 7. Roxbury..... | 162,919 | 412,617 36 | 270,226 | 1.5269 | 2.5326 |
| 8-9. South End and Back Bay... | 108,386 | 340,169 99 | 220,324 | 1.5435 | 3.1385 |
| 10. North and West Ends..... | 56,040 | 203,444 57 | 136,101 | 1.4948 | 3.6303 |
| Totals..... | 417,801 | \$1,151,353 45 | 765,561 | \$1.5039 | \$2.7557 |

TABLE SHOWING COSTS OF GARBAGE AND REFUSE COLLECTION DURING 1936 IN CONTRACT DISTRICTS.

| DISTRICTS. | Population. | Cost. | Cubic Yards. | Cost Per Yard. | Cost Per Capita. |
|----------------------|-------------|--------------|--------------|----------------|------------------|
| 2. East Boston..... | 65,650 | \$39,040 16 | 78,624 | \$0.4965 | \$0.5946 |
| 4. Brighton..... | 70,997 | 46,774 64 | 85,901 | 0.5445 | 0.6588 |
| 5. West Roxbury..... | 58,906 | 43,745 60 | 86,823 | 0.5038 | 0.7426 |
| 6. Dorchester..... | 205,806 | 211,967 51 | 245,045 | 0.7943 | 1.0299 |
| 11. Hyde Park..... | 26,196 | 14,464 48 | 20,433 | 0.7077 | 0.5521 |
| Totals..... | 427,555 | \$355,992 39 | 516,826 | \$0.6888 | \$0.8326 |

All of the foregoing figures have been obtained from the records of the Sanitary Division of the Public Works Department. It will be noted that the population of the city labor districts is approximately equal to the population of the contract districts so called.

The cost per yard collected in the city labor districts amounts to an average \$1.50 per

yard as compared with 68 cents per yard in the contract districts. On a per capita basis, collection in the city labor districts cost an average of \$2.75 per person as compared with 83 cents per person in the contract districts.

In the following tables the commission offers a breakdown of the expenses previously given in totals by districts.

APPORTIONMENT OF COSTS IN 1936 OF GARBAGE AND REFUSE COLLECTION IN DAY LABOR DISTRICTS.

| | District 1. | District 3. | District 7. | Districts 8-9. | District 10. |
|---------------------|--------------|-------------|--------------|----------------|--------------|
| Direct labor..... | \$52,171 62 | \$21,907 39 | \$167,189 11 | \$124,311 18 | \$71,310 26 |
| Indirect labor..... | 17,755 67 | 13,146 36 | 51,799 08 | 48,509 70 | 27,566 45 |
| Total labor..... | \$69,927 29 | \$35,053 75 | \$218,988 19 | \$172,820 88 | \$98,876 71 |
| Overhead..... | 6,577 11 | 3,241 23 | 20,580 55 | 16,771 55 | 9,966 60 |
| Auto..... | 3,651 71 | 5,024 30 | 32,973 52 | 14,722 00 | 6,748 27 |
| Carts..... | 3,051 33 | 264 85 | 7,322 07 | 27,643 93 | 21,028 15 |
| Disposal..... | 46,559 74 | 21,617 28 | 132,641 78 | 108,137 47 | 66,798 37 |
| Issues..... | 137 95 | 15 00 | 111 25 | 74 16 | 26 47 |
| Totals..... | \$129,905 13 | \$65,216 41 | \$412,617 36 | \$340,169 99 | \$203,444 57 |

District 1, South Boston. District 3, Charlestown. District 7, Roxbury. Districts 8-9, South End and Back Bay. District 10, North and West Ends.

APPORTIONMENT OF COSTS IN 1936 OF CONTRACT DISTRICTS.

| | District 2. | District 4. | District 5. | District 6. | District 11. |
|------------------------|-------------|-------------|-------------|--------------|--------------|
| Contract payments..... | \$29,988 00 | \$37,140 00 | \$32,400 00 | \$161,280 00 | \$8,496 00 |
| Labor..... | 6,484 00 | 6,700 00 | 8,510 46 | 22,346 21 | 4,599 93 |
| Auto..... | 621 27 | 621 27 | 621 27 | 414 18 | 621 27 |
| Overhead..... | 1,946 89 | 2,313 37 | 2,213 87 | 10,611 49 | 747 28 |
| Disposal..... | — | — | — | 17,315 63 | — |
| Totals..... | \$39,040 16 | \$46,774 64 | \$43,745 60 | \$211,967 51 | \$14,464 48 |

District 2, East Boston. District 4, Brighton. District 5, West Roxbury. District 6, Dorchester. District 11, Hyde Park.

One very striking illustration in substantiation of the commission's point is furnished by comparison of East Boston and South Boston. The population in each is nearly equal, though East Boston has a slightly larger total. In East Boston a contractor collected and disposed of the garbage and refuse for \$39,040.16 in 1936, and in South Boston the labor charge alone for city laborers for time actually at work was \$52,171.62. There was \$17,755.67 additional paid to city laborers for time lost through sickness, holidays, attendance at funerals, etc. In the contract districts, this latter expense is absorbed by the contractor or his employees. In the city labor districts the city has to pay approximately as much for disposal as for collection, whereas in the contract districts the city pays additionally for disposal in only one district.

The transfer of this work to contractors would permit release of a large volume of city equipment, trucks, etc., for other work. Many of them could replace the hiring of truck equipment for W. P. A. activities which has been costing the city approximately \$500,000 per year; or, by the elimination of these city-owned trucks and continuing the hire of trucks as needed, the city could gradually reduce the volume of its own automotive equipment, and save the heavy annual costs of keeping trucks in repair.

Conclusion.

The Finance Commission recommends that you instruct the Public Works officials to make certain, by every means within their power, that the contractors who have obtained contracts for the collection of refuse and garbage live up to every letter of the contracts, particularly in their dealings with their employees. When this has been taken care of the commission recommends that you direct the Public Works Department to adjust the present district staffs of the Sanitary Division so as

to permit the change gradually from collection of refuse by city labor to contract collection.

Those who urge the day labor system for this service believe that there would not be the mathematical disparity in costs between the systems were the contractors held to a strict accountability for the terms of their contracts whether with reference to the wages paid for employees or the services rendered. They insist that the day labor of city employees is better than that of contractors, and that the city laborers are certain of adequate wages. The commission believes that you should address yourself to this phase of the matter. Obviously, it should be day labor or contract labor for all sections of the city.

Respectfully submitted,

DAVID LASKER, Chairman,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JAMES H. FLANAGAN,
The Finance Commission.

Mr. Joseph A. Scolopetti dissents from the foregoing report.

Placed on file.

FANEUIL HALL AND QUINCY MARKET.

The following was received:

City of Boston,
Finance Commission, April 26, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Honorable Sir,—For many years the Faneuil Hall and Quincy Market has been steadily declining as a revenue producing agency of the City of Boston. Where once these market buildings yielded upward of \$150,000 a year to the city treasury, the revenue from them dwindled to \$88,796 in 1937. This amounts to a 41 per cent loss.

FANEUIL AND QUINCY HALLS.

| | RECEIPTS. | | | | EXPENDITURES. | | | | Total Costs. |
|-----------|-----------------------------------|-------------------------------|---|-----------------------|------------------------|----------------------------|------------------------------|-------------|--------------|
| | Market Department. | | Public Buildings Department. | | Market Department. | | Public Buildings Department. | | |
| | Stalls, Cellars and Quincy Halls. | Rents from Both Quincy Halls. | Quincy Hall, Second Floor, Fruit and Produce Exchange and Barber Shop, Rentals. | Quincy Hall, Rentals. | Appropriation Charges. | Charges Allocated Against. | | | |
| | | | | | | Faneuil Hall and Market. | Quincy Hall and Market. | | |
| 1937..... | \$82,582 73 | \$5,818 75 | \$395 00 | \$88,796 48 | \$16,746 57 | \$7,131 88 | \$3,841 84 | \$27,720 29 | |
| 1936..... | 77,423 53 | 12,191 25 | 400 00 | 90,014 78 | 15,417 58 | 8,644 84 | 23,882 47 | 47,944 89 | |
| 1935..... | 83,369 16 | 7,500 00 | 320 00 | 91,189 16 | 15,374 65 | 6,072 67 | 39,441 41 | 60,888 73 | |
| 1934..... | 86,403 52 | 10,255 00 | 310 00 | 96,968 52 | 11,900 73 | 8,155 61 | 2,232 15 | 22,288 49 | |
| 1933..... | 92,074 39 | 18,605 00 | 555 00 | 111,234 39 | 15,619 31 | 12,725 02 | 7,569 53 | 35,913 86 | |
| 1928..... | 141,763 44 | 13,605 00 | 255 00 | 155,623 44 | 16,667 38 | 17,664 02 | 12,704 02 | 47,083 42 | |
| 1923..... | 148,929 09 | 8,867 80 | 330 00 | 158,126 89 | 15,444 65 | 7,769 21 | 3,041 03 | 26,254 89 | |
| 1920..... | 183,211 95 | 1,093 00 | 805 00 | 185,109 95 | 13,677 41 | 7,825 60 | 3,568 55 | 25,071 56 | |
| 1918..... | 122,845 00 | 7,186 00 | 735 00 | 130,766 00 | 12,811 54 | 6,812 10 | 1,882 57 | 21,006 21 | |
| 1910..... | 123,908 00 | 7,470 00 | 1,360 00 | 132,738 00 | 10,810 19 | 5,519 56 | 1,597 56 | 17,927 31 | |

Placed on file.

On the other hand, the cost of custodial service and upkeep has steadily increased. In 1910, for instance, it cost the city \$18,000 for service and upkeep of this property. The revenue in that year was \$132,700. In 1920 the cost was \$25,000 for service and upkeep, and the revenue \$185,000. In 1937 the service and upkeep cost had risen to \$27,720, while the rentals had fallen to \$88,796, as above stated. As against a 41 per cent revenue loss, maintenance cost has increased 50 per cent.

Meanwhile, the major portion of the buildings has been renovated. Modern equipment and tile floors and walls have replaced the original wooden structure and the hodgepodge additions made from time to time as new tenants took possession or old ones felt the need of expansion. The market inside has become the finest in America.

The city spent in 1935-36, on two contracts, a total of \$459,830 for this elaborate renovation of the Quincy Market Building alone. Since this renovation, receipts from the buildings have continued to decline.

Rentals for space in the market buildings are fixed by joint action of the Mayor and City Council. For a great many years it was customary to lease the spaces for long terms, sometimes ten years, sometimes five years. In October, 1934, however, the last leases expired and space has been rented since that time on a tenant-at-will basis.

The proper upkeep and maintenance of business in the Faneuil Hall and Quincy Market properties mean much to the section of the city in which they are located. As business prospers at the market, it is reflected in the related business of the whole section. Demand and rentals of surrounding property usually are up or down as is the business of the market itself.

The market district is now more easily accessible than it was in the days when it produced the larger income. Approaches to the East Boston Tunnel, the entrance to which on the Boston side is within a few hundred yards of the market, have opened up the area for rapid travel to and from it. Wide highways now lead to it, replacing the narrow lanes and devious routes of the earlier days and the consequent congestion and slow-moving traffic.

In the opinion of the Finance Commission, public opinion would not favor abandonment of "the market" regardless of the extent of the decrease in the city's revenue from it. It constitutes a historical shrine, containing as it does "The Cradle of Liberty." It is also famous as the first public market in America. It is not, however, good judgment to permit the market to continue to lose its former influence in the commercial life of the city without serious effort to stop the loss. Also, it seems unbusinesslike to continue indefinitely the rental of the spaces on a tenant-at-will basis.

In the area surrounding the market proper, high real estate valuations on worn-out structures have tended to take business away from them. Readjustment of valuations on surrounding property seems to be necessary, as well as proper leases for the newly renovated market stalls and spaces.

Several times previously in the history of the city when the market leases were expiring, the Finance Commission sponsored the creation of a special commission of real estate operators or owners, conversant with real estate values in the district and having its interest at heart, to survey the situation. These commissions made recommendations to the city government as to the terms of the new leases which were always adopted. On each such occasion the result seemed satisfactory to all involved. It seems, therefore, that it is again time to create such a commission.

The Finance Commission believes it should be undertaken by your Honor.

The Finance Commission also believes that it would help declining business and consequent declining land values in this section if the market lessees and the real estate owners

of that district got together and devised ways and means of improving the business of the district. Since the city itself is vitally interested in its continued preservation, it is fitting that the city officials should undertake the creation of a suitable organization for the purpose.

Respectfully submitted,
DAVID LASKER, Chairman,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JOSEPH A. SCOLPONETI,
JAMES H. FLANAGAN,
The Finance Commission.

BUDGET FOR 1938.

The following was received:

City of Boston,
Finance Commission, May 2, 1938.
To the Honorable the City Council.

Gentlemen,—The Finance Commission has examined the appropriation order and the Mayor's message in explanation of it now before you. Since this order when passed provides for the maintenance of the city departments for the present year, action upon it is the most important of your functions.

In so far as it discloses the amounts allotted to the various departments to be raised from within the tax levy and from the receipts from charges for water, it gives a satisfactory picture of the administration's intentions.

However, as was stated in a report to the City Council in 1937, in respect to the appropriation order of that year, the commission believes that an appropriation order that does not disclose the entire financial program, *i. e.*, the ways and means from all sources and the allotment of them for expenditure, is not a complete budget. Specifically, for instance, this order and message does not disclose the administration's intentions with respect to borrowings, either for current maintenance or for capital improvements; nor does it disclose revenue and sources of revenue from sources other than taxes and from borrowings and allotment of them. Public statements of the Mayor's intentions along these lines have been made from time to time but they are not clearly set forth in this order and message. They are not, therefore, officially on record. Consistent with its finding of a year ago, the commission only desires to imply that this appropriation order is not what is recognized by budgetary authorities as an ideal budget.

With respect to the allotments for the departments recommended by the Mayor, the commission desires to be recorded as of the opinion that the Mayor has for the most part reduced allowances as far as it can safely be done without curtailment of services which the public has become accustomed to. As was the case with the relief station closings, suggested curtailment of any one service now rendered will provoke substantial opposition. The members of the Finance Commission do not believe it is within the province of the commission to advocate or defend any particular service, unless the commission can show that money is being wasted. Since the city has been unable for many years past to raise enough to pay for present services plus other mandatory charges, it is not necessary for the commission to argue that the city cannot afford all public service now rendered.

It is the opinion of the present Finance Commission that the constant watchfulness for many years of the Finance Commission and private organizations similarly interested and the frequent recommendations for necessary changes have brought about the situation that the city departments are now almost to rock bottom in so far as the cost of present methods is concerned. There are still many recommendations by the Finance Commission on file which, if adopted, would further reduce the total bill. The commission is pleased to note that the Mayor has appointed a special assistant to institute some of these changes

suggested by the Finance Commission and others as he finds need for them, and that through this agency much is being accomplished which eventually will mean greater efficiency and a better day for the taxpayers.

The Finance Commission has noted that in order to make the last possible cut in the allowances for city departments, the budgetary officials this year have abandoned what has always been regarded as a major control by the city government in the segregated budget. This is the appropriation by individual item for the pay roll group. In this year's budget, according to the form before the Council, the appropriation for department pay rolls will be by lump sum. When the appropriation is made by individual item, the department heads are restricted in hire of employees and in wages paid by the limitation of each item. For instance: When the Council appropriated for fourteen inspectors at \$1,800 per year each, it was not possible to appoint fifteen or to pay any one of the fourteen more than \$1,800 per year without a laborious process which discouraged many attempts. The opportunity to point to this difficulty has always served to reduce the pressure on a mayor by political friends to add employees, or to give increases to favorites. The absence of such a restriction leads to more employees than are strictly necessary, and to dissatisfaction among employees because occasionally a favorite will advance in salary beyond the salary of his class or group.

The Finance Commission has some sympathy for abandonment of this feature of the segregated budget this year because undoubtedly the end justified the means and the end was, as above stated, to obtain the last possible cut in an emergency situation. The Finance Commission deprecates abandonment, however, as a permanent policy.

It has already appeared in the testimony of department officials before the Committee on Appropriations that expenditure to date has been on a greater scale in many cases than would have been the case had the actual allotments been known earlier. This fact will make it difficult at the end of the year to keep to the proper minimum the supplementary transfers of funds.

Unless there is exercise of the greatest caution in expenditures in many cases, in the remaining months, it is doubtful if there will be funds enough to go around, and the long threatened payless pay days may arrive.

In conclusion, the Finance Commission desires to record its opinion that the appropriations as have appeared in the order originally submitted by the Mayor and presumably now before you are the minimum requirements for the operation of the city departments as presently organized.

Respectfully submitted,

DAVID LASKER, Chairman,
ROBERT ROBINSON,
JAMES E. MAGUIRE,
JAMES H. FLANAGAN,

The Finance Commission.

Placed on file.

APPROVAL OF CONSTABLES' BONDS.

Bonds of the following-named constables, having been duly approved by the City Treasurer, were received and approved, viz.:

William A. Amsie, David Belson, Joseph L. Bennett, Thomas F. Brett, George W. Brooker, John J. Dillon, Robert E. Donlan, John J. Daunt, Walter A. Donlan, Paul R. Gast, Sears H. Grant, John F. Halligan, Joseph Herman, Jacob Isgur, Nathan Kravitsky, Bronis Kontrim, John J. Murphy, Nachman Perlman, Phillip S. Phillips, Alfred N. Sarno, Almerindo Sarno, Frederick J. Sarno, Isaac Shulman, Joseph L. Shurtleff, Henry J. D. Small, Frank J. Staula, David Tobey, Roman J. Vasil, Frank F. Wennerstrand, John A. Wragg, Maurice Zeeman.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. ENGLERT, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred March 21) permitting Reid Brothers to locate steam pipe at Lamesville terrace across Stony brook—recommending reference to the Executive Committee.

Report accepted; said reference ordered.

REPORT OF COMMITTEE ON CONSTABLES.

Coun. AGNEW, for the Committee on Constables, called up No. 1 on the calendar, approving confirmation of names of following constables, viz.:

1. Action on appointments submitted by the Mayor April 11, 1938, of Constables authorized to serve civil process, viz.: Henry Atwood, Eugene Blinderman, James A. Canton, Thomas C. Carr, Michael J. Clifford, John M. Crawford, Lewis Gilbert, Francis W. Gildea, Meyer Goldstein, Samuel Gordon, Solomon Gorfinkle, Salvatore Grassa, Richard Hegarty, David B. Kaplan, Abraham Landfield, Isie Martin, William P. Miles, Edward Ober, Louis H. Oppenheim, Frederick Partridge, James G. Peters, George N. Pierce, Louis Richmond, Samuel Shain, Frank Shaw, Sidney Williams.

The question came on confirmation. Committee, Coun. Lyons and Sullivan. Whole number of ballots 19, yes 19, and the appointments were confirmed.

BUS SERVICE TO CARSON BEACH.

Coun. ROSENBERG offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to extend the bus service during the summer months from Franklin Park Station to Carson Beach, to start at Blue Hill avenue and Talbot avenue.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Coun. AGNEW, for the Committee on Appropriations, submitted the following:

The Committee on Appropriations, to whom was referred April 13 the annual budget for 1938, respectfully submits the accompanying report.

As soon as the budget sheets were available the committee began daily sessions and continued until every item had been scrutinized and explained by the various heads of departments. It became evident from the investigations of the committee that the budget submitted to the Council had been reduced by the Mayor to the minimum requirements under the present set-up of the city departments and the committee in the short time available have found no opportunity to reduce the items.

There are several matters that under other circumstances the committee might have been disposed to consider at greater length but owing to the absence of some segregation and the presumed lack of power on the part of the Council to interfere in the executive business, it was deemed advisable to postpone consideration of them until some future time.

The committee accordingly recommends the passage of the accompanying appropriation orders, being substantially the budget submitted by the Mayor without change.

For the Committee,
JAMES E. AGNEW, Chairman.

AMOUNTS ALLOWED FOR 1938.
City Departments.

| | |
|-----------------|------------------|
| Department..... | 1938 Allowances. |
| Art..... | \$410 00 |
| Assessing..... | 297,154 06 |

| | |
|---|-----------------|
| Auditing..... | \$83,997 86 |
| Boston Port Authority..... | 39,006 98 |
| Boston Retirement Board..... | 32,997 49 |
| Boston Traffic Commission..... | 158,325 77 |
| Budget..... | 12,382 77 |
| Building..... | 192,922 92 |
| Board of Appeal..... | 10,324 78 |
| Board of Examiners..... | 4,371 63 |
| City Clerk..... | 46,321 22 |
| City Council..... | 85,133 54 |
| City Council Proceedings..... | 11,250 00 |
| City Documents..... | 20,000 00 |
| City Planning Board..... | 18,222 49 |
| Collecting..... | 164,111 53 |
| Election..... | 244,928 79 |
| Finance Commission..... | 50,000 00 |
| Fire..... | 4,024,152 65 |
| Wire Division..... | 93,154 63 |
| Health..... | 945,267 80 |
| Hospital..... | 3,367,513 00 |
| Sanatorium Division..... | 639,598 42 |
| Institutions: | |
| Central Office..... | 46,204 13 |
| Child Welfare Division..... | 351,553 33 |
| Long Island Hospital..... | 803,871 92 |
| Steamers "Hibbard" and "O'Meara"..... | 59,370 88 |
| Law..... | 157,527 20 |
| Library..... | 1,320,471 30 |
| Licensing Board..... | 49,966 87 |
| Market..... | 15,547 45 |
| Mayor, Office Expenses..... | 77,886 04 |
| Park..... | 1,290,255 24 |
| Cemetery Division..... | 69,805 55 |
| Police..... | 6,022,881 48 |
| Public Buildings..... | 588,627 86 |
| Public Welfare: | |
| Central Office..... | 4,776,818 73 |
| Temporary Home..... | 10,455 76 |
| Wayfarers' Lodge..... | 14,499 20 |
| Public Works: | |
| Central Office..... | 34,347 57 |
| Bridge Service..... | 428,259 67 |
| Ferry Service..... | 272,188 69 |
| Lighting Service..... | 965,000 00 |
| Paving Service..... | 1,323,787 82 |
| Sanitary Service..... | 2,125,269 96 |
| Sewer Service..... | 514,253 00 |
| Registry..... | 66,794 08 |
| Sinking Funds..... | 2,684 12 |
| Soldiers' Relief..... | 308,270 77 |
| Statistics..... | 8,900 13 |
| Street Laying-Out..... | 166,934 65 |
| Supply..... | 65,613 01 |
| Treasury..... | 73,883 35 |
| Weights and Measures..... | 47,301 80 |
| Special Appropriations: | |
| Bridges, Repairs, etc..... | 63,700 00 |
| Contingent Fund..... | 295,500 00 |
| Conventions and Entertainment of Distinguished Guests..... | 9,850 00 |
| Public Celebrations..... | 39,400 00 |
| Real Estate Division, Repairs, etc..... | 24,625 00 |
| Reconstruction of Streets..... | 50,000 00 |
| Reserve Fund..... | 125,000 00 |
| Snow Removal..... | 235,000 00 |
| Street Signs..... | — |
| | \$33,443,864 89 |

County Departments.

| Department. | 1938 Allowances. |
|---|------------------|
| Suffolk County Courthouse, Custodian..... | \$264,307 16 |
| County Buildings..... | 99,136 26 |
| Jail..... | 248,265 62 |
| Supreme Judicial Court..... | 61,968 33 |
| Superior Court, Civil Session, General Expenses..... | 424,400 60 |
| Superior Court, Civil Session, Clerk's Office..... | 182,983 97 |
| Superior Court, Criminal Session, Probate Court..... | 488,553 91 |
| Municipal Court, City of Boston, Municipal Court, Charlestown Dis- trict..... | 29,722 50 |
| Municipal Court, South Boston District..... | 496,926 42 |
| Municipal Court, Dorchester Dis- trict..... | 32,712 30 |
| East Boston District Court..... | 31,972 38 |
| Municipal Court, South Boston District..... | 34,279 38 |
| Municipal Court, Dorchester Dis- trict..... | 45,778 16 |

| | |
|---|----------------|
| Municipal Court, Roxbury Dis- trict..... | \$110,147 38 |
| Municipal Court, West Roxbury District..... | 44,104 15 |
| Municipal Court, Brighton Dis- trict..... | 21,913 00 |
| Boston Juvenile Court..... | 29,465 63 |
| District Court of Chelsea..... | 38,511 59 |
| Registry of Deeds..... | 189,578 39 |
| Index Commissioners..... | 25,844 24 |
| Insanity Cases..... | 38,120 00 |
| Medical Examiner Service, Northern Division..... | 24,966 56 |
| Medical Examiner Service, Southern Division..... | 16,545 00 |
| Associate Medical Examiner Ser- vice, Northern Division..... | 1,790 00 |
| Associate Medical Examiner Ser- vice, Southern Division..... | 1,760 00 |
| Miscellaneous Expenses: | |
| Auditing..... | 17,526 08 |
| Budget..... | 13,832 90 |
| Collecting..... | 1,379 00 |
| Sheriff..... | 4,632 12 |
| Treasury..... | 6,141 47 |
| Granite Avenue Bridge..... | 3,046 70 |
| Penal Institutions: | |
| Office Expenses..... | 37,897 38 |
| House of Correction..... | 467,979 91 |
| Steamer "Michael J. Perkins," Land Court..... | 57,071 83 |
| Special Appropriations: | |
| Apportionment Commission..... | — |
| Social Law Library..... | 1,000 00 |
| | \$3,584,260 32 |

Revenue Departments.

| | |
|---|----------------|
| Department. | |
| Printing..... | \$347,053 45 |
| Departmental Stationery and Postage..... | 118,200 00 |
| City Record, Publication of..... | 30,033 15 |
| Public Works: | |
| Water Service..... | 964,153 55 |
| Water Income Division..... | 251,465 90 |
| Traffic Tunnel..... | 222,257 16 |
| Collecting: | |
| Water Division..... | 106,976 31 |
| | \$2,040,139 52 |

Recapitulation.

| | |
|--------------------------|-----------------|
| City Departments..... | \$33,443,864 89 |
| County Departments..... | 3,584,260 32 |
| Total..... | \$37,028,125 21 |
| Revenue Departments..... | 2,040,139 52 |
| Grand total..... | \$39,068,264 73 |

The report was accepted and the question came on the passage of the orders as reported.

Coun. DOWD—Mr. President, I now move that the appropriation for the Boston City Hospital be reduced by the sum of \$15,700. Speaking in support of that amendment, I want to say that I am and always have been a firm believer in the idea that Boston jobs should be given to Boston taxpayers. I have compiled here a list showing, for instance, that taking our School Department, out of 5,400 teachers in Boston 1,616 reside in cities and towns outside of Boston. For example, 55 come from Arlington, 191 from Brookline, 51 from Belmont, 15 from Braintree, 12 from Brockton, 11 from Chelsea, 139 from Cambridge, 36 from Dedham, 25 from Everett, 16 from Framingham, 20 from Lynn, 46 from Malden, 100 from Medford, 33 from Melrose, 98 from Milton, 24 from Needham, 24 from Natick, 115 from Newton, 92 from Somerville, 16 from Salem, 15 from Rockland, 94 from Quincy, 16 from Woburn, 12 from Wakefield, 18 from Waltham, 25 from Weymouth, 65 from Watertown, 44 from Winthrop, 15 from Winchester, 24 from Wellesley, and so on. The question now faces us, as members of the Council elected by the people of Boston, whether we are going to protest to the addi-

tion to that list, something that we or the Mayor of Boston have no control over until the Legislature changes the situation. But are we going to sit quietly and allow appointed positions to be created and filled, without any authority of civil service, where trustees of Boston departments are the appointing power? Are we going to sit here quietly and allow the trustees of the City Hospital to create and fill appointive positions without any authority of the civil service. Are we going to sit here today quietly and allow the money of the City of Boston to be spent for the salaries of one individual from Chicago, one from Ohio, one from Illinois, one from Iowa, one from North Carolina, one from New Hampshire, one from Philadelphia and one from Kansas? It matters not to me whether the Council agrees with me in this matter or not. I have made the fight and I am convinced after listening to the trustees of the Boston City Hospital openly admit that they did not recommend the appointment of these individuals, and that when they were hired it was on mere say-so. They could not produce to us one letter or one paper bearing upon the matter to show that these people were qualified for the positions. Are we to say here in the great City of Boston that we have no girls qualified to act as superintendent of nurses or in these subordinate positions? I say that is a great indictment of our educational system and of our hospital. As a matter of fact, it was brought out in the hearing before the budget committee, that not only were these outsiders brought in without any written indorsements but that our own girls were not even given an opportunity to show their fitness for these positions in the hospital. There was no criticism of the care given by our nurses to the patients, but emphasis was laid on mere paper work. It was claimed that our girls were not getting the college education that is now being recognized as important in certain parts of the country, although there has never been any criticism of the work they have done in the hospital as the years have gone on, in the interest of the patients and of the public. Therefore, I am asking the members of the Council to go on record one way or the other on the question of whether in their opinion it is all right for the trustees, without investigation of the abilities of nurses already in the hospital, to go to eight different cities of the country and bring in women to our hospitals who have never even seen the patients here, to take these important positions. Doctor Manary admitted in the record that three girls did the work now being done by eight of these college graduates. In these days of economy, are we willing to allow that sort of thing to go on? I don't think we should. I believe we should send word to the trustees that in eliminating eight salaries, aggregating \$15,700, we do so because not one of the arguments I have made to the City Council in the last four months on this matter has been answered in any way by the Board of Trustees; that we do so on the ground that at the budget committee hearing the trustees were evasive and would not tell us the truth. Whether they know the facts about which we have questioned them or not, they have certainly been evasive. However, although we might argue the matter for a week or a month, it all comes down to this: Are we members of the City Council, now exercising the one important power still left to us, on the budget, willing to pile onto our city pay roll eight such individuals because some one says they are qualified? Bear in mind, I am not questioning the qualifications of the superintendent of nurses or of her eight assistants, but I am questioning the position apparently taken by the Board of Trustees, that among all the citizens of Boston we do not have girls qualified to fill these positions. At the hearing last week Doctor Manary admitted openly that one of the Boston girls at the hospital had applied for the position, but was not encouraged and was not given the opportunity that she wished. After all, it comes down to one thing—whether or not we

are of the opinion that Boston girls should be given Boston jobs. That is the issue, plain and simple. There is no question of anything else in my mind. The real question is, whether the members of the Council, elected by the taxpayers of Boston, are going to surrender in a matter of this kind simply because a few socialites want to see outsiders come in and occupy these positions. How can we go back and face the people if we are going to tell them that we agree to the idea that women shall be brought in from eight different states of the Union and placed over our girls at the Boston City Hospital? I wonder if the representatives of the people in any other state of the Union would favor such action in their localities? As I have already pointed out, in an important department of the City of Boston at the present time, out of 5,400 employees 1,616 come from 110 outside towns and cities of Massachusetts. The same thing applies in other departments of our cities, and I say, in all fairness, it is about time that that sort of thing was stopped and that Boston men and Boston girls were given an opportunity to obtain positions the salaries of which are paid for by the taxpayers of the City of Boston. I care not what the members of the Council do with this matter today. I know about the pressure brought to bear on some of the members to vote for the entire budget as submitted by the Mayor of Boston. I am not criticizing the Mayor of Boston but the trustees of the City Hospital for their actions. I say to the Board of Trustees that they have not given our girls a fair opportunity in dealing with this appointment of a superintendent of nurses at the City Hospital and her subordinates. There is no law against appointing Boston girls to this position. I brought out the fact the other day in the hearing that the superintendent of the hospital, if he desired, or the trustees, if they desired, could appoint as superintendent of nurses a graduate of the Boston City Hospital. It is all buncombe when they refer to the position taken by the State Board of Nursing with regard to approving and maintaining the present standard of the City Hospital and that unless they took some such action as they have taken there was danger that their standing would be impaired, because it has been brought out that at present two of the new girls never cared sufficiently about the state board to even register. Up to Friday of last week they had never even applied for registration. But I have stated here my humble opinion. There is a possibility that I may be wrong, but I don't think so. I am willing to take the brunt of this battle. I am willing to go before the citizens of Boston on this question of Boston men and women for Boston positions. I think it is very significant in one of the greatest departments of this city to which I have referred that out of 5,400 employees 1,616 come from 110 cities and towns of Massachusetts outside of Boston, although their salaries are paid from the taxes levied on Boston people. It is about time that we had a change. The simple question is in the matter before us, whether or not we want to put Boston girls in Boston jobs?

COUN. WILSON—Mr. President, I have not talked with the Mayor in regard to the passage of the budget, so I am not one of those on whom the reported pressure has been brought. So far as Boston departments are concerned, I have always agreed with the principle announced by Councilor Dowd that preference should be given to Boston residents. But I was a patient at the Boston City Hospital for two weeks last autumn, and I will admit that my principal interest while there was that the nurses and employees knew their business and were on their toes, and if any member of my family were unfortunate enough to have to go to the City Hospital I would have the same feeling in regard to them, or in regard to any friends or relatives, that proper medical and nursing care was the main consideration, and not whether the attendants came from Canada, the western United States, or elsewhere in America. I personally think,

while I feel that Councilor Dowd is animated by the best of motives, that the object he desires to attain, first, will not be accomplished and, secondly, that the position taken is inconsistent. I do not notice any suggestion that there be a cut in the budget of the Library Department, which, of course, is notoriously filled with non-residents of Boston. We cannot assume even that the adoption of this proposed amendment will mean the discharge of the non-resident employees referred to at the hospital. It will simply mean a cut of \$15,700 in the budget of the Hospital Department, so even if we were to assume that the councilor from Roxbury is right, the amendment would still be meaningless because if this \$15,700 cut in the budget of the City Hospital is made, the result would probably simply be that some of the nurses in the hospital will be fired, while the eight officials against whom criticism has been directed will still be on the job. And some of the nurses who might have to be dropped would undoubtedly be Boston girls. To my mind, the last thing in the world that we want to do is to inject anything more in the way of politics into the City Hospital. There has been and is now too much politics in the City Hospital. Certainly we do not want to take any action such as is here proposed, that would not even attain the object desired, but might simply mean a reduction in nurses in the hospital. So I don't think we should fail to stand behind the trustees at this particular time, bearing in mind that, after all, our primary obligation is to the patients, who may come from your family or mine, and whose treatment should be free from all political considerations.

Coun. SULLIVAN—Mr. President, I was deeply interested in this question in the budget committee. I realize the force of much that Councilor Dowd has said in regard to the employment of Boston people in Boston jobs, but I feel, with Councilor Wilson, that if we should strike out this item of \$15,700, we will simply be biting off our noses to spite our faces. As a matter of fact, the trustees can do as they wish, and if they have to drop nurses they will undoubtedly not be these that are aimed at, but other nurses, and very likely Boston girls, in the employ of the hospital. As a matter of fact, we now have these new executive nurses in the hospital. I believe, with Councilor Dowd, that these women should not have been appointed, but I believe, now that they are there, they should be retained. Certainly it does not come within our province to remove them, and I believe that by committing two wrongs we cannot make a right.

Coun. NORTON—Mr. President, this is the only time in the year, when the budget is before us, that this body has an opportunity to take definite action so far as the City Hospital or any other department is concerned. The principal argument in favor of the trustees in the matter is this,—we have obtained the very best woman possible to obtain to take charge of the sick of this city. That argument, of course, is unanswerable; nobody can possibly have opposition to it. The trustees say, "We have obtained the best woman in America to take charge of this department of the hospital." The question naturally arises in our minds, however, whether there was not a proper person in Boston who might have been obtained. We say, "Why go to San Francisco, Kansas, or other places, when we believe there are competent people right in our own midst and in our own hospital, people as competent as this individual who has been brought in?" Isn't it a reflection on the intelligence and ability of people in this city. Shouldn't we have more faith in ourselves? Boston and Massachusetts have never lacked in providing men for any emergency. When the Federal Government was looking for a man for Collector of the Port of Boston, they might have said, "We will take a man outside of the city." But they chose Joe McGrath for the collectorship, a man of unquestioned ability and the right man for the job, a Boston boy, whose life has been spent here. They wanted a big man for collector, whose bigness was symbolical of the city, and they chose Joe McGrath. And I look on the situation

in the City Hospital in the same way. To my mind we have numerous competent and well qualified nurses, graduate nurses of our School of Nursing in the City Hospital. We all know that the hospital has had a very high reputation in the care of patients. Boston has always been noted as a center of culture and education. You don't see them down in New Orleans, Texas, or California sending on here to get people for positions of this kind, but we are told now that we do not have them here and that they must be brought from the West and the South, educated women. I believe that this amendment should be passed, and I do not believe that if it is passed, the trustees will drop any Boston people from the institution. Our Boston people understand Boston conditions; those brought from outside do not understand Boston conditions. If you or I go to other sections of the country, we have to get acquainted with their ways and conditions; conversely, if outsiders come here they have to get used to Boston and its people and ways. Of course, this is merely a request. It does seem, however, that with the competent nurses at the City Hospital it was not necessary to go outside in this way, that we might easily find at the hospital competent women, capable of handling the problems of the hospital and understanding our people.

Coun. ROSENBERG—Mr. President, for the purpose of the record and to make perfectly clear my vote for the total budget as submitted to the City Council by his Honor the Mayor, I desire to state that in so voting I am doing it with the conviction that to cut any part of the budget in view of the information presented to us by the various department heads would, perhaps, result in the loss of employment for many city employees. I believe that the budget, as submitted to us, is the best that could be offered in view of the present financial standing of the city as a whole. I am casting my vote for the total budget as submitted by his Honor and I want it thoroughly understood that no so-called "pressure" has been brought to bear upon me at any time. Neither have I been approached by anyone and questioned as to how I should vote. First, I have the best interests of every citizen of Boston at heart in so voting, and I am pleased to say that I have the fullest confidence in the judgment of the trustees of the Boston City Hospital and their ability to choose for Boston employees who are best fitted to perform the duties to which they are assigned. I feel that no member of the Council can question the integrity and motives of the members of the Board of Trustees in making selections to fill any vacancy. The Boston City Hospital is recognized as one of the outstanding institutions of its kind in the country, and the trustees of this institution, therefore, must be numbered among the outstanding men in their profession, and over a score of years have ably performed their duties in the best interests of the people of Boston. Mayor Tobin is, undeniably, interested in seeing that the standard for health, and care of the sick, is maintained to the highest degree, and I confidently feel that it is not his intention to interfere with the proper and improved operation of the hospital as it stands at the present time. Certainly every member of the Council is interested in seeing Boston jobs filled by Boston people, and, particularly, am I interested in seeing this program carried out in every instance. However, if the best interests of the sick and injured can be served by employing the services of proven experts then, by all means, we should avail ourselves of the services of such experts. We should keep faith with the trustees of the Boston City Hospital and his Honor the Mayor, and I am confidently of the opinion that if it is proven to the Hospital Trustees and the Mayor, that any employee of the hospital is incompetent and incapable of performing the duties to which he or she is assigned, surely the proper steps would immediately be taken to replace any such employee with a person of proven capabilities. Political patronage should be far removed from the care of the sick and injured and the only consideration should be to provide the services of the most competent staff and hold them responsible for the welfare of the afflicted. I am opposed to cutting from the hospital budget the sum of \$15,700, as suggested, fearful that such a reduction may curtail the efficient operation of the hospital and result in the neglect of the inmates. Let us not do anything that may cause added suffering to these persons confined to their beds and unable to speak for themselves. It is our

duty to have their interest at heart, first, last and always. I shall therefore vote for the budget in its entirety as submitted by his Honor the Mayor.

Coun. CAREY—Mr. President, I am one of the members of the body who sincerely believes in the slogan, "Boston jobs for Boston people." However, I feel that we have got to be consistent here. If we are to be consistent, we must start and go through every department with a view to doing what we can to have Boston people occupy Boston jobs, and the sooner we start to do that, I believe, the better it will be for the City of Boston. However, we do want the most expert advice and the best qualified people we can get in such positions. We certainly all feel that way when it would come to a question of treating our families or friends. I would also suggest, as a practical matter, while we are probably all, as a general principle, heartily in favor of Boston jobs for Boston people, the City Hospital should not be singled out alone in a matter of this kind, when we know there are other departments where outsiders are extensively employed. There is also a serious question in my mind whether Councilor Dowd's amendment could possibly be effective. There is a serious question in my mind as to the legality of the amendment. At any rate, I don't want to see any friends of mine, who are employees in the hospital and residents of Boston, fired from the hospital because of lack of funds. I think, therefore, we should go slow and make sure of our ground, because we don't want Boston people injured by such an amendment.

Coun. GEORGE A. MURRAY—Mr. President, I attended the budget hearings last week and was particularly interested in this nurse situation at the Boston City Hospital. On the first day when we took up the hospital budget, Mr. Carl Dreyfus, a trustee of that institution, was present. I asked Mr. Dreyfus whether or not he had any correspondence in regard to the ability of Miss Logan to serve in the hospital as superintendent of nurses and he said he had a file and would produce it the next day. The next day he was not there, but another trustee, one George Parker, appeared, and Mr. Parker said that recommendations of Miss Logan were purely a matter of talk, that there was no writing, but that the trustees, as a result of some talk suggested the name of Miss Logan, that the action of the trustees was brought about simply by word of mouth. They did not produce before the committee one iota or scintilla of evidence that would honestly lead the committee to believe that their action in this matter was in the interest of the City of Boston. I am thoroughly convinced that Councilor Dowd is right. I believe we should serve notice not only on the City Hospital Trustees but on the heads of other departments, that we favor Boston jobs for Boston people. I believe Councilor Dowd is correct, and that this Council should adopt his amendment.

Coun. AGNEW—Mr. President, it is rather too bad that the powers of the City Council are so limited, that we cannot reach each and every item in the budget, whether it pertains to an individual or to something else. I trust that the charter may some day be corrected so that the City Council, acting with the Mayor, may have a little more power and authority than it has today over certain most important matters in connection with the running of the city. As Councilor Dowd has said, we are in this body by grant of the people of our city, and none of the people from outside of our city would have been even interested in our last November city election or in any future election. It is to be hoped that the present situation, in so far as the limited powers of the City Council are concerned, will be corrected at some future date. I say that the disregard of the feelings of the city government by trustees or heads of any department is entirely wrong. The situation in our Boston Public Library is one instance. We have no control, have nothing to say. All we can do is indicate by our actions our feelings in favor of home rule, as a result of

our being here as City Councilors. We can show them that we are in sympathy with the vast majority of the citizens of our city, that where the occasion arises we stand with the citizens, and that we are not in accord with the policy of importing people into our city in disregard of the wishes of our citizens. Boston for years has been known as the cultured city of America. It has been known for years as the greatest city in America in education, in the law, medicine and all professions. Boston has always been outstanding in this respect. As far as the superintendent of nurses is concerned, I made one inquiry that, in my opinion, was important of the trustees. I asked them how many nurses were at present in the City Hospital. The answer was 175. I asked them if they had investigated each and every one of those nurses to find out whether they were qualified to assist Miss Logan in her position, as occupants of these subservient positions, and the answer was evasive. In my opinion, we must serve notice, as representing the people of Boston, on the trustees of our various institutions that we as members of the city government are not in accord with their policy of importing outside people for Boston positions.

Coun. DOWD—Mr. President, we all recall the action that has been taken at various times in this body, and the long delay by the Hospital Trustees before anything definite was done. If action was so absolutely necessary, it would seem that it would have been taken sooner. However, we waited a few months, and what did we see? We did not see our nurses at the hospital given any recognition, in spite of the good work that they had been doing for years. We saw Miss Callahan disregarded, we saw Miss Foster put to one side, after more than twenty years of faithful service in the hospital. We saw others overlooked, not even considered. But, after the nurses who had had connection with the hospital and whom one would naturally think had a right to be at least given favorable consideration, we finally saw the following appointments as assistants to Miss Logan.—Miss Margaret Busche, born in Ohio, and registered in Ohio and California, graduated from the University of Cincinnati School of Nursing and Health; Cecelia Knox, from Illinois, graduated from the St. Francis Hospital School of Nursing in Peoria, Illinois; Clara Ellis, born in Iowa, and graduated from the Iowa State University School of Nursing; Artie S. Kirley, born in North Carolina, and graduated from the New Jersey State Hospital School of Nursing; Martha Thompson, from New Hampshire; Merriam Moore, from California; Ann Duncan, from Kansas, graduated from the Cook County Hospital School of Nurses, Chicago. Now, our City Hospital has been functioning for a great number of years. I think I am as familiar with it as anyone, it being in my district and I having had contact with it practically every day in the week. Prior to Miss Logan coming, the care of patients at the hospital was just as good as, if not better than at the present time. The hospital has been an institution of high reputation for years, and the nurses who have worked there right along have had much to do with that reputation. We have been told that the morale of the hospital was low and that something had to be done, but I think the record of the hospital shows that that is not so. The trustees have practically admitted that they had nothing to do with placing these employees in question in the institution, that they gave carte blanche to Miss Logan to bring on her assistants, whomever she wished, and she proceeded to do so, thereby pushing our girls to one side. I admit that we have no power to say that these employees taken from outside the city shall be discharged, but I don't think one member of the Council believes for a moment that if this amendment is adopted the trustees are going to fire one Boston girl. I have a lot of good will for the Mayor and a great deal of respect for his intelligence, and I know too well, with the conditions now prevailing in the

City Hospital, that he will see that a change is made. All we need do is give the present Mayor an opportunity to view the picture. But he has been in office for only a few months and must be given an opportunity to grasp the situation, and I believe then we can have confidence in what he will say to the trustees in regard to bringing these girls in from eight other cities of the United States and placing them at work in this institution. But I believe we need have no fear that the Mayor will discharge a solitary Boston girl. To claim that he would is not a logical argument, because he would not dare to do it and his judgment would be against it, anyway. If he should, the City Council is not to blame, because we have done all we could. I have always fought for the interests of the employees and the patients in the hospital in my fourteen years in this body. The care of the patients is foremost in the mind of every individual, and we can only get that care by having people there who understand our people and their wants. Oh, I wish some of the members of the Council could go up there tomorrow morning and see the real situation. That might change the minds of some who are opposed to this amendment. After all, we have to consider our position as members of the City Council. If we vote against this amendment, then we are saying to the trustees, we are saying to every department head, "All right, no matter what you want to do, go right ahead. Hire whomever you want, and the City Council will stand by you." I agree with the councilor from Dorchester (Coun. Wilson) that the pay roll of the department is outside of our control. We have no direct control over the trustees, but we can at least express our feelings on the entire situation.

Coun. CHASE—Mr. President, the Council should at least be consistent in voting on this matter. I would call your attention to the fact that nothing has been said in regard to the employment of Mr. Lord in the Public Library, of Mr. Whitcomb, the efficiency expert appointed by the Mayor, a man born in Kansas and taken from Springfield, Massachusetts. Nothing has been said, either, about Mr. Thompson, the City Collector, a man who resigned from Needham to come here. If you are going to pick on these women, you should pick on other employees of the city. Personally, I shall vote for the budget as submitted by the Mayor because I feel that he has exercised a great deal of ability in cutting the budget down as he has.

Coun. DOWD—Mr. President, an examination of the records of the Council will show that when Mr. Lord as well as Mr. Kenney were appointed in the Public Library, I took the floor of the Council and objected strenuously. As for the other two appointments, I will simply say that both Mr. Whitcomb and Mr. Thompson, the City Collector, are now registered in Boston. Certainly, so far as I know, they are. If the councilor from the Back Bay has any information showing that they are not residents of Boston, that is another situation. But we have had evidence that the appointment of these outside nurses in the City Hospital was approved by the trustees, and there is no evidence that they are even registered in the City of Boston. As I say, I objected when the appointments of Mr. Lord and Mr. Kenney were made in the Public Library. We did everything we could, but to no avail.

Coun. WILSON—Mr. President, I would suggest that all the persons who have been named here, including the department heads mentioned by the councilor from the Back Bay (Coun. Chase) are or very soon will be residents of Boston. The girls in the hospital, whose names have been mentioned today, are probably to all intents and purposes at the present time residents of Boston, all being here the first of January and probably included in the police listing. So they are or will soon be as much residents of Boston as the officials mentioned by the gentleman from the Back Bay.

Coun. NORTON—Mr. President, I agree with Councilor Dowd and also with the gentleman from

the Back Bay, but there is a great contradistinction between those cases, Councilor Chase, and one of the cases you have named. Here is a woman who has come to Boston and has been so inept and so lacking in tact and diplomacy as to attack the religion of a dominant group at the hospital in a public statement. Mr. Lord, Mr. Kenney and Mr. Whitcomb have not been inept, have not been making any remarks which would destroy the morale of the department.

Coun. WILSON—Mr. President, may I ask the gentleman to amplify that statement? He is making a charge against one of these women in the Hospital Department, and I would like to hear further on the subject.

Coun. NORTON—Mr. President, I understand from a statement made by Councilor Dowd—who, I am sure, will be willing if necessary to amplify his remarks and, if necessary, support them by proof—that the woman who has been appointed superintendent of nurses in the City Hospital alluded very specifically to the fact that she was not, even though her name might indicate it, a member of a certain religion. I say that any woman coming to Boston who is so un tactful as to make a remark of that nature, shows a lack of fundamental judgment which should not be characteristic of a superior who holds such a position as she now holds. It is merely an illustration of the un tactfulness of such a woman in needlessly arousing opposition from those with whom she comes in contact.

Coun. CHASE—Mr. President, if I recall aright, that statement was made here four or five weeks ago. The Mayor has surely heard about this religious issue, and why has he since, if that is so, introduced this budget, including the name of this woman, if such a thing is true? I reiterate that I intend to support the Mayor. I believe his judgment is wise and that we ought to vote this afternoon for the budget as submitted by the Mayor. He is deeply interested in the matter and he knows what he is doing.

Coun. SULLIVAN—Mr. President, as regards the religious issue which is brought into this matter, I would not vote for anyone who intentionally made such a remark as has been reported. But sufficient proof has not been given us that the lady did make any such remark. As far as religion is concerned, I believe that I am as devoted to my religion as anybody, but I resent the charge, without proof, that such a statement was made. I would like to have the proof. In any event, we are not going to eliminate Miss Logan, but simply going to eliminate \$15,700 from the hospital budget. I feel that if the charge made against Miss Logan is true, the trustees of the hospital themselves would be willing to eliminate Miss Logan from the budget. But until there is proof of that statement, I still object to the adoption of an amendment which would only result in eliminating other people from their jobs.

Coun. Dowd's amendment was declared adopted. Coun. WILSON doubted the vote and asked for the yeas and nays.

The amendment was adopted, yeas 15, nays 5:
Yeas—Coun. Agnew, Dowd, Englert, Fish, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Lyons, George A. Murray, Peter A. Murray, Norton, Taylor—15.

Nays—Coun. Carey, Chase, Rosenberg, Sullivan, Wilson—5.

The order as amended was passed, yeas, 20, nays 0:

Yeas—Coun. Agnew, Carey, Chase, Dowd, Englert, Fish, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Lyons, George A. Murray, Peter A. Murray, Norton, Rosenberg, Sullivan, Taylor, Wilson—20.

Nays—0.

Coun. Shattuck entered the chamber later in the session and said:

Coun. SHATTUCK—Mr. President, I ask unanimous consent to be recorded on the budget, both on the amendment and the final vote on the bill. I wish to vote "no" on the amendment and "yes" on the final passage of the budget as a whole.

The result of Coun. Shattuck's vote was that the amendment was adopted by a vote of 15 to 6, and the budget as a whole was adopted by a vote of 21 to 0.

PAYMENT TO MOTHER OF JOHN
MADDEN.

Coun. LYONS offered the following:

Ordered, That chapter 256 of the Acts of 1938, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to the Mother of John Madden," be, and hereby is, accepted.

Ordered, That under the provisions of chapter 256 of the Acts of 1938 the sum of five thousand dollars be allowed and paid to the mother of John Madden, who died on April 21, 1934, as a result of injuries sustained while in the custody of the Police Department; said sum to be charged to the Contingent Fund.

Severally referred to the Executive Committee.

ACCEPTANCE OF MATTAPAN STREETS.

Coun. NORTON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Mattapan street, under the W. P. A. plan of construction.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out, under the W. P. A. plan of construction, Manning street, Ward 18.

Severally passed under suspension of the rule.

EXEMPTION OF FEDERAL HOUSING
FROM LOCAL TAXATION.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of immediately conferring with officials of the Massachusetts Legislature relative to the immediate passage of a statute exempting Federal housing projects in Massachusetts from local taxation.

Coun. NORTON—Mr. President, I understand from the press of last Saturday, referring to the Federal housing situation in this state, that unless the Massachusetts Legislature exempts Federal housing projects in this state from local taxation within the next sixty days, the Federal Housing Authority will withdraw \$11,700,000 earmarked for projects in Boston and Lowell, as announced by United States Administrator Nathan Straus in Washington on April 29. I ask in this order, therefore, that the Mayor of Boston consider the advisability of immediately conferring with officials of the Massachusetts Legislature relative to the immediate passage of a statute exempting Federal housing projects in Massachusetts from local taxation. Otherwise, \$11,700,000 earmarked for projects in Boston and Lowell will be withdrawn. Other states have passed statutes exempting such projects from local taxation, but this state has not yet done so. If such action is not taken, Massachusetts will lose these Federal projects, although it is being taxed to pay for them. We now have one such Federal housing project in Boston, and should have a dozen. Such projects are under way in Baltimore, Chicago, New York and other cities, and there is no reason why they should not be encouraged here. Why should we be held up, although helping to pay the bills, while other states are receiving the benefits of such expenditures? The administration at Washington will, although this money is now earmarked for these projects in Boston and Lowell, withdraw them within the next sixty days unless they are exempted from local taxation. Under the current proposal, \$2,900,000 would go for a project in Lowell with approximately \$9,000,000 allocated for Boston. Something of the sort should be done in this city. We need

homes of the kind proposed. The money is appropriated by the Federal Government, and let us get our share of it. Therefore, I am asking the present Mayor of Boston to consider the advisability of immediately conferring with state officials looking to the immediate passage of a statute exempting Federal housing projects in Massachusetts from local taxation, in order that we may get this Federal money for Boston, as well as for another city in the state.

Coun. WILSON—Mr. President, I question the advisability of the Council passing snap judgment on a matter of this kind, asking the Legislature of this state to say that further housing projects in Massachusetts shall be tax free, notwithstanding the eloquence of the gentleman from Hyde Park and his reference to housing projects in Chicago and other cities of this country. Some day I hope the entire picture, most of the details of which are not yet disclosed to the public, will come out. There are fifty-one of these proposed slum clearance projects in America today, a great many of them in such outlying places as Porto Rico and the Virgin Islands. In Porto Rico, there are in Cagua seventy-eight units and in San Juan 131 units. Taking the three Virgin Islands, for instance, there are on St. Croix Island thirty units in one town and thirty-eight units in another, and on St. Thomas Island fifty-eight units. In other words, 10 per cent of these great housing projects looking to slum clearance are, two on Porto Rico, and three on the Virgin Islands. I have not had the privilege of visiting either place, but can imagine how important they would be in those tropical places where the natives are living in adobe huts, or something of the sort. While some of these housing projects look well on paper, there are many reasons why we should not jump for them or ask the Mayor of Boston to urge the Legislature that further projects of the kind in Massachusetts, especially in the City of Boston, shall be tax free. We should bear in mind the magnitude of the projects, the millions that are being put into them, and the loss there will be to the city through non-taxation along with the effect that the projects will have on general real estate in this city. I certainly trust that we will give the matter due consideration before passing the order.

Coun. NORTON—Why isn't this a good use for vacant land, using it for these much needed building projects?

Coun. WILSON—Because it is not slum clearance.

Coun. NORTON—Well, there is a difference of opinion about that. Of course, as far as the Old Harbor project is concerned, it was first proposed to take property on the slope of Old Dorchester Heights, tearing down the old buildings and erecting the new ones. But it was later decided to take the vacant land where the Old Harbor project has since been put.

Coun. WILSON—Mr. President, if the gentleman will yield for a question, wasn't it provided in the act that these should be slum clearance projects?

Coun. NORTON—Well, under the present provisions of the act such projects as that at Old Harbor can be put through, and such projects mean a great improvement in housing conditions for the public. They should be encouraged. Twenty per cent of our people live in homes fit only for animals. We should get our share in Massachusetts, particularly when we are helping to pay the bills all over the country. Massachusetts is obtaining from the Federal Government this year about \$4.40 for each person, while California obtains \$20, New Hampshire \$25, and Louisiana \$32. And we are paying more than our share of the bills.

Coun. WILSON—Well, when you talk about slum clearance, does that apply to Porto Rico or to the Virgin Islands?

Coun. NORTON—That is not the question for discussion with us here. Even if they do live in mud huts in Porto Rico,

they will at least for the first time in their history have improved living conditions. As far as this housing project in South Boston is concerned, it is true that it was at first proposed to clear away houses on the slope of Old Dorchester Heights and put in this new construction, but it was later decided, and I think wisely, to avail themselves of that vacant land. Just look at that marvelous piece of land, with that wonderful driveway, the Strandway, one of the finest in America, with plenty of light and air and a marvelous beach. I say that that was a better place for the project than on top of that crowded hill. I challenge anyone to point out a more wonderful location for such a project. Certainly such projects are for the benefit of the community, and we should have and must have more of them. Now, as regards Porto Rico, St. Thomas, the Fiji Islands—

Coun. WILSON—We haven't got there yet! (Laughter.)

Coun. NORTON—Well, this whole idea appeals to me. Certainly it means a great improvement, for instance, in those islands. When Herbert Hoover went to St. Croix Island, he referred to it as the nation's poorhouse. He had just come back from Europe and the people there were living in such poor conditions that he referred to it as the poorhouse of our nation. Now, they can have real homes.

Coun. WILSON—Well, Mr. President, I would merely remark that there are proposed for Porto Rico, at Cagua, seventy-eight units, and at San Juan 131 units; that on the Virgin Islands, on St. Croix Island, at Christiansted thirty units, and at Frederiksted thirty-eight units, and on St. Thomas Island fifty-eight units. I do not understand, however, that as yet we have any delegates elected from the Fiji Islands! (Laughter.)

The order was passed under suspension of the rule.

W. P. A. AID FOR NON-MAJOR STREETS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of obtaining all possible Governmental W. P. A. money and fixing every non-major street in Boston.

Coun. NORTON—Mr. President, with P. W. A. funds Mayor Tobin should be able to arrange to fix every non-major street in Boston this year. A small city in area, we have 600 miles of streets in our 44 square miles. Government money may not be available next year. There are 300 mudhole streets in the suburban wards, where at certain periods children, ambulances and fire engines are unable to get through the deep mud. With W. P. A. money available, that sort of thing can be remedied.

The order was passed under suspension of the rule.

LOCAL CIVIL SERVICE COMMISSIONS.

On motion of Coun. NORTON, the following letter, received by him, was ordered printed in the minutes:

National Civil Service Reform League,
521 Fifth Avenue, New York,
April 19, 1938.

Mr. Clement A. Norton, Superintendent, Commonwealth Pier, Boston, Mass.

Dear Sir,—The United States Civil Service Commission has referred to us your letter of April 12, asking whether the civil service commissions in the six largest cities of the country are appointed by the mayor of the city or the governor of the state.

The commissions in these cities are appointed by the mayor, as are all municipal civil service commissions of which we have knowledge, except in a few cities where they are elected by the people or appointed by special bodies designated by law. We know

of no city where a municipal civil service commission is appointed by the governor of the state.

There are fourteen states which have civil service laws, viz.: Arkansas, California, Colorado, Connecticut, Illinois, Maine, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Tennessee and Wisconsin.

The law covers the state service proper only in Arkansas, California, Colorado, Connecticut, Illinois, Maine, Maryland, Michigan, Tennessee and Wisconsin. The Arkansas, Maryland and Tennessee laws provide that cities or counties may avail themselves of the facilities of the State Civil Service Commission upon request, but no jurisdictions have done so with the single exception of Montgomery County, Maryland. Massachusetts and New Jersey have no municipal civil service commissions; the State Commission has jurisdiction over municipal services. In New York and Ohio, the mayor of each city must appoint a municipal civil service commission, which is under the general supervision of the State Civil Service Commission.

In about 450 cities there are independent municipal civil service commissions, created by referendum vote, local ordinance or acts of the legislature. As stated above, in most cities the mayor, city manager, city council or city commission appoints the civil service commission, although in a few cities commissioners are elected by popular vote or appointed by special bodies (e. g., in Denver by the judges of the district court; in Flint, Michigan, by a board made up of the city commission, the Hospital Board of Managers and the Board of Education; in Cincinnati, by a board made up of the mayor, the Board of Education and the Trustees of the University of Cincinnati).

I hope we have answered your questions. If we can give you any further assistance, please call upon us.

Very truly yours,

H. ELIOT KAPLAN,
Executive Secretary.

RECESS.

The Council voted at 4 p. m., on motion of Coun. NORTON, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 4.23 p. m.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

SOFT COAL, EAST BOSTON.

Coun. IRWIN offered the following:

Ordered, That his Honor the Mayor be requested to direct the Health Department of the City of Boston to investigate into conditions in the vicinity of that part of East Boston known as Central square caused by soft coal dust from such coal, attributed to the manner in which such coal is stored and handled on the premises of the City Fuel Company on Border street, East Boston, and the department be requested to take such steps as may be proper to improve such conditions without placing an unfair burden upon the owners or users of said coal and to report on or before the 23d day of May, 1938, the result of its investigation and its recommendations, if any.

Passed under suspension of the rule.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, 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.:

Shirley Norris Scott, Recital Hall, June 6; Frank M. Bell, New England Conservatory, June 13—recommending that leave be granted on usual conditions.

Report accepted; leave granted on usual conditions.

2. Report on order (referred today) that act authorizing payment of sum to mother of John Madden be accepted—that same ought to pass.

Report accepted; said order passed.

3. Report on order (referred today) authorizing payment of \$5,000 to mother of John Madden—that same ought to pass.

Report accepted; said order passed.

4. Report on message of Mayor and order (referred today) that \$7,000,000 be appropriated for funding of overlay deficits and other items—that same ought to pass.

Report accepted; said order was read once and passed, yeas 20, nays 0.

NEW BOILER AT DEER ISLAND.

Coun. TAYLOR offered the following:

Ordered, That the Penal Institutions Commissioner be requested, through his Honor the Mayor, to take immediate steps to install a new boiler at the House of Correction, Deer Island, to replace the one which is now declared unsafe for operation.

Coun. TAYLOR—Mr. President, it is regrettable that the City Council has not the power to increase, in addition to decreasing, appropriations. I was rather astounded in the Appropriations Committee the other day to learn from the Commissioner of Penal Institutions that they have over on Deer Island a boiler in such condition that it is apt to blow up at any time. The commissioner himself admitted that this might happen in the very near future, perhaps resulting in loss of life. He also stated that they had spent \$7,000 during the last year in repairing the boiler, and that a greater amount will undoubtedly have to be spent in the ensuing year for the same purpose. While we are working under an economy program, I believe it is sometimes good economy to purchase a new article and avoid expensive repairs. Also, where attempting to prolong the life of a boiler results in a threat to the safety of people, inmates of the institution and others on that island, I think it is rather poor economy. I don't think the City of Boston should take a chance by allowing this dangerous condition to continue, with its threat to the life, safety and welfare of the people down there. Certainly something should be done, and that something, to my mind, means the setting up of a new boiler in place of that old one which is a continual danger.

The order was passed under suspension of the rule.

LIST OF UNSAFE BUILDINGS.

Coun. TAYLOR offered the following:

Ordered, That the Building Commissioner be requested, through his Honor the Mayor, to furnish the City Council with a list of the buildings which are to be razed under the supervision of his department and also a list of buildings which are in danger of collapsing.

Coun. TAYLOR—Mr. President, there are many buildings in this city that are almost falling down at the present time. The Building Commissioner informed us that these buildings, and there are a great many of them, —perhaps 150—are ready to collapse. It is really necessary to take these buildings down, but the commissioner has not sufficient money to do it. I believe it would be a good idea

for the Council to receive a list of the buildings, particularly those that are very dangerous, so that the question of an appropriation for tearing them down may be considered. The order was passed under suspension of the rule.

WARD 20 IMPROVEMENTS.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface and install sidewalks on Vermont street, Ward 20.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Thurlow street, Ward 20.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out, under the W. P. A. plan of construction, the following streets in Ward 20:

Varick road, Perham street extension, Pleasant street.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hill street and Brook street, Ward 20, under the W. P. A. plan of construction.

Severally passed under suspension of the rule.

CLEANING OF ROSLINDALE SQUARE.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the cleaning of Roslindale square nightly, or at least on Saturday nights.

Passed under suspension of the rule.

PLAYGROUND, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to establish a playground in the area between Russett road and Newfield street, off the Veterans of Foreign Wars Parkway, Ward 20, which is badly needed in this section, the nearest playground being approximately two miles distant.

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 pavement Radcliffe street, Ward 14, under the present W. P. A. plan of construction.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Johnston road, Ward 14, under the W. P. A. plan of construction.

Passed under suspension of the rule.

SIDEWALKS ON WASHINGTON STREET, WARD 19.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on Washington street, the main thoroughfare of Ward 19, from Archdale road to Roslindale square, under the plan of W. P. A. construction, said sidewalks to be constructed of cement preferably or tar.

Passed under suspension of the rule.

ACCEPTANCE OF FLORENCE STREET,
WARD 19.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Florence Street East, Ward 19, as a public highway.

Passed under suspension of the rule.

EXTENSION OF BRADEEN STREET,
WARD 19.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept the extension of Bradeen street, Ward 19, from the railroad tunnel, through the tunnel to Hyde Park avenue, as a public highway.

Passed under suspension of the rule.

SIDEWALK ON BOYNTON STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Boynton street, both sides, Ward 11, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

ELIMINATION OF DAY LABOR.

Coun. DOWD offered the following:

Ordered, That the members of the Boston City Council go on record as opposed to further elimination of day labor in favor of contract labor for the removal of garbage and ashes.

Coun. DOWD—Mr. President, I have read with a great deal of interest the report of the Finance Commission recommending to the Mayor that garbage and ashes be collected throughout the city by contract instead of by day labor. In my opinion, a better job is done in the collection of garbage and ashes by men in the city departments rather than by contractors. For years, since I have been in office here, I have had occasion to observe in different districts the way in which this work is done by contract, and there has been continuous complaint about the way in which the contractors have performed the work and that those getting the contracts are not paying the prevailing rate of wages. I trust that the Mayor will give serious consideration to this question. I think if he does so he will favor the work being taken over entirely by city labor instead of its being done by contract.

Coun. SHATTUCK—Mr. President, I trust that the matter will be referred to the Executive Committee for consideration. The Commissioner of Public Works can then be

sent for and we can inquire further into the facts as to the difference in cost between day labor and contract work, and also the relative efficiency.

The order was referred to the Executive Committee.

OPENING OF SCHOOL YARDS.

Coun. CHASE offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to keep school yards open throughout the city between 3.30 and 6 p. m. on week days and all day Saturday during the present school term for the purpose of utilizing same as play yards for the children and to arrange for the supervision of same as a W. P. A. project.

Ordered, That the School Committee be requested, through his Honor the Mayor, to keep the school yards open throughout the city, to be used as playgrounds for the children of each particular district during the summer vacation period and to arrange for the supervision of same as a W. P. A. project.

Severally passed under suspension of the rule.

WADING POOL, EMMONS PLAYGROUND.

Coun. GALVIN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to consider the advisability of constructing a wading pool at the Emmons Playground, Ward 2.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENT.

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

2. Action on appointment submitted by the Mayor April 25, 1938, of Bernard A. McKinney, to be a Weigher of Goods.

The question came on confirmation of the appointment. Committee, Coun. Galvin and Taylor. Whole number of ballots 17; yes 17, and the appointment was confirmed.

MARITIME ZONE ON WATERFRONT.

Coun. KERRIGAN, for Coun. Fitzgerald, offered the following:

Ordered, That Richard Parkhurst of the Boston Port Authority be requested to confer with his Honor the Mayor and a committee of the City Council relative to Senate Bill 444, which is intended to establish a maritime zone on the waterfront of the City of Boston, and that the Honorable House and Senate be requested to delay action until the City of Boston, through its elected representatives, expresses an opinion on the same.

Passed under suspension of the rule.

Adjourned at 4.40 p. m., on motion of Coun. PETER A. MURRAY, to meet on Monday, May 16, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

SPECIAL MEETING.

Tuesday, May 10, 1938.

Special meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Peter A. Murray, Norton and Rosenberg.

The clerk read the call for the meeting, as follows:

City of Boston,

Office of the Mayor, May 6, 1938.

To the Members of the City Council.

Gentlemen,—You are respectfully requested to assemble at Faneuil Hall, on Tuesday, May 10, 1938, at two o'clock p. m., for the purpose of taking action on a loan for municipal relief purposes, and for such other business as may come before your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

Placed on file.

REORGANIZATION OF ASSESSING DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, May 10, 1938.

To the City Council.

Gentlemen,—I submit herewith an order for acceptance of chapter 257 of the Acts of 1938.

This act, which is the result of a petition filed by me in the Legislature, provides for two additional principal assessors in the Assessing Department.

The present board of three assessors cannot possibly function expeditiously and efficiently because of the tremendous increase in work devolving upon them.

It is essential to the proper administration of the Assessing Department and to provide service to the taxpayers of our city that the present board be augmented.

I therefore request that your Honorable Body approve the accompanying order.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That chapter 257 of the Acts of 1938 entitled "An Act to Authorize the Reorganization of the Board of Assessors of the City of Boston," be, and hereby is, accepted. Referred to the Executive Committee.

LOAN FOR RELIEF PURPOSES.

The following was received:

City of Boston,

Office of the Mayor, May 9, 1938.

To the City Council.

Gentlemen,—I submit herewith an order providing for a loan of \$3,100,000 to be issued under the provisions of chapter 53 of the Acts of 1938, the proceeds to be used to finance a portion of appropriations already made for Public Welfare, Soldiers' Relief and Federal Emergency Unemployment Projects. Under the provisions of chapter 53, before any borrowings may be authorized, municipalities are required to appropriate, to be raised by taxation, an amount not less than 85 per cent of the total expenditures for welfare and relief during 1937. Last year the total expenditures of the Institutions, Public Welfare and Soldiers' Relief Departments, excluding contributions to W. P. A. projects, were \$11,819,157.35. In the light of this amount the city must raise by taxation in 1938 for welfare and relief the sum of \$10,046,283.75.

The budget recently adopted by your Honorable Body contained appropriations for welfare and relief, exclusive of W. P. A., totaling \$11,609,428.48. Subtracting the 85 per cent figure previously mentioned and which must be raised by taxation, it is evident that the city may borrow for welfare and relief departmental activities in 1938 the sum of \$1,563,144.73. In addition, the city may also borrow for W. P. A. appropriations of City, County and School Departments totaling \$1,546,563.30. Adding this total to the amount previously mentioned in connection with welfare and relief departmental activities it is evident that on appropriations made to date for Public Welfare, Soldiers' Relief and Federal Emergency Unemployment Projects the city may finance through borrowing the sum of \$3,109,708.03. The order submitted herewith accounts for practically this entire authorization.

Every effort has been made to meet the necessary appropriations without resorting to borrowing. But up to the present time no additional revenue has been provided by the Legislature and the city is therefore forced either to borrow the three million dollars mentioned or raise it by taxes on real estate, which means an addition of \$2 to the rate. I believe it is the part of wisdom under the present circumstances to borrow the money.

The Board of Assessors are rapidly reaching the point where a declaration of the tax rate for 1938 may be made. The amount to be borrowed for welfare and relief will be used by the assessors as a credit in the computation of the tax rate. It is desirable therefore that the assessors receive the authority to apply this credit at the earliest possible date. I recommend, therefore, immediate consideration of the accompanying order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That under the provisions of chapter 53 of the Acts of 1938 the sum of \$3,100,000 be, and hereby is, appropriated, to be used for meeting appropriations made for Public Welfare, Soldiers' Benefits and Federal Emergency Unemployment Relief Projects, 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, the same to be issued outside the debt limit.

Referred to Executive Committee.

APPOINTMENT OF CONSTABLES.

The following were received:

City of Boston,

Office of the Mayor, May 10, 1938.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint Max Goldfarb, of 31 Allen street, Ward 3, constable of the City of Boston for the term of one year, beginning with the first day of May, 1938, without the power to serve civil process and to serve without bond.

Mr. Goldfarb will assume the duties of Leray Sussman, resigned.

Respectfully,

MAURICE J. TOBIN, Mayor.

Laid over for one week under the law.

City of Boston,

Office of the Mayor, May 10, 1938.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint Ralph J. Richards, of 86 Barry street, Ward 15, constable of the City of Boston for the term of one year, beginning with the first day of May, 1938, without the power to serve civil process and to serve without bond. He will assume the duties of Arthur McElwain, resigned.

Respectfully,

MAURICE J. TOBIN, Mayor.

Laid over for one week under the law.

VETO OF SIDEWALK ORDERS.

The following were received:

City of Boston,
Office of the Mayor, May 9, 1938.
To the City Council.
Gentlemen, I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 25, 1938, for the making of a sidewalk along Washington street, between Ifley road and Chilcott place, Ward 11.

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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Office of the Mayor, May 9, 1938.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on April 25, 1938, for the making of a sidewalk along Walnut park, junction of Walnut avenue, for a distance of 90 feet, in front of the Swedish Church, Ward 11.

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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Office of the Mayor, May 9, 1938.
To the City Council.

Gentlemen,—I return herewith disapproved and without my signature an order adopted by your Honorable Body on May 2, 1938, for the making of a sidewalk along Boynton street, Ward 11.

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,
MAURICE J. TOBIN, Mayor.
Severally placed on file.

TRANSFER WITHIN ASSESSING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, May 9, 1938.
To the City Council.

Gentlemen,—The attached request for transfer within departmental appropriations has been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Assessing Department:

From the appropriation for B, Contractual Services, \$6,535.12, to the appropriation for C, Equipment, \$4,035.12; D, Supplies, \$2,500. Referred to Executive Committee.

APPOINTMENT OF WEIGHERS.

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

Weigher of Coal: John Pillow, 86 P street, South Boston, Mass.
Weigher of Goods: David J. Cowhig, 147 Boston street, Boston, Mass.

Severally laid over a week under the law.

SPEEDING UP INVESTIGATION OF APPLICANTS FOR W. P. A.

The following was received:

City of Boston,
Office of the Mayor, May 6, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Executive Director of the Overseers of the Public Welfare relative to your order of April 13, 1938, concerning the speeding up of the investigation of applicants for W. P. A. employment.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
May 4, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with inclosed copy of an order from the City Council, reading as follows:

“Ordered, That the Acting Director of Public Welfare be requested, through his Honor the Mayor, to look into the matter of speeding up the investigation of applicants for W. P. A. employment.”

Investigation of non-welfare persons will hereafter be made by our regular staff of visitors. This will increase substantially the number of cases investigated each week.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.
Placed on file.

CERTIFYING APPLICANTS FOR W. P. A.

The following was received:

City of Boston,
Office of the Mayor, May 9, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Director of the Overseers of the Public Welfare relative to your order of April 13, 1938, concerning the method of certifying applicants for W. P. A.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
May 4, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with inclosed copy of an order from the City Council, reading as follows:

“Ordered, That the Acting Director of Public Welfare be requested, through his Honor the Mayor, to make an investigation into the method of certifying applicants for W. P. A. employment and to advise the City Council as to what steps, if any, can be taken to expedite these certifications.”

Investigation of non-welfare persons will hereafter be made by our regular staff of visitors. This will increase substantially the number of cases investigated each week.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.
Placed on file.

PETITIONS REFERRED.

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

Claims.

Edward F. Gleary, for refund on dog license.
Arthur Galdi, for refund on hawkers license.
Felix Kozak, for refund on garbage tickets.
A. Libbey, for compensation for damage to car by fire truck.

Mary E. Mace, for compensation for injuries caused by an alleged defect in Centre street.

Carl G. Magnuson, to be reimbursed for expenses incurred in finding leak in water pipe at 47 Mattakeeset street.

John G. Murphy, for daughter, for compensation for damage to clothing caused by projecting wire on Norfolk street.

John C. O'Brien, to be reimbursed for execution issued against him.

Grace Powers, for compensation for injuries caused by an alleged defect in Washington street.

Elizabeth Shinnick, for compensation for injuries caused by an alleged defect in Portland street.

Daniel J. Sullivan and Thomas G. Dutton, to be reimbursed for execution issued against them.

Executive.

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

Katharine G. O'Gorman, Plymouth Theatre, May 21.

Anna M. Greene, Current Events Hall, May 23.

Lucille Perry Hall, Copley Theatre, May 23.

Lulu Philbrook, Jordan Hall, June 1.

Edith M. Leavis, Jordan Hall, June 27.

Mary Campbell, Jordan Hall, June 14.

Stanley E. Brown, Jordan Hall, June 8.

A. Marie Govone, Jordan Hall, May 25.

Marie Ryan Livingston, Eliot Hall, May 20.

Leopold DeCordova, Recital Hall, June 9.

John Mooradian, Recital Hall, June 15.

Alice Astle, Whitton Hall, June 2.

RESIGNATION OF LEROY R. SUSSMAN.

Notice was received from Leroy R. Sussman of his resignation as constable of City of Boston, Public Works Department, Sanitary Division, to be effective May 5, 1938.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Henry J. Smith, member of School Committee, of sale by Hornblower & Weeks, his employers, of bonds to the City of Boston.

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, Abram Bornstein, Francis E. Brown, Eugene Blinderman, Harold A. Brewster, James A. Canton, Daniel B. Carmody, Thomas C. Carr, Michael J. Clifford, William K. Coburn, John M. Crawford, Henry G. Dahlquist, Lewis Gilbert, Francis W. Gildea, Marks Goldstein, Meyer Goldstein, Solomon Gorfinkle, Richard Hegarty, David B. Kaplan, Abraham Landfield, Isie Martin, William P. Miles, Louis H. Oppenheim, Frederick Partidge, George N. Pierce, Max Rabinovitz, Louis Richmond, Alfred Rudin, Samuel Shain, Frank Shaw, Jerome Suvalle, Joseph M. Torr, Andrew L. Wessling, Sidney Williams.

RECESS.

By direction of President KERRIGAN the Council went into executive session at 2.26 p. m. The members reassembled and were called to order by President KERRIGAN at 3.03 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

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

Katharine G. O'Gorman, Plymouth Theatre, May 21; Anna M. Greene, Current Events Hall, May 23; Lucille Perry Hall, Copley Theatre, May 23; Lulu Philbrook, Jordan Hall, June 1; Edith M. Leavis, Jordan Hall, June 27; Mary Campbell, Jordan Hall, June 14; Stanley E. Brown, Jordan Hall, June 8; A. Marie Govone, Jordan Hall, May 25; Marie Ryan Livingston, Eliot Hall, May 20; Leopold DeCordova, Recital Hall, June 9; John Mooradian, Recital Hall, June 15; Alice Astle, Whitton Hall, June 2—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 chapter 257 of Acts of 1938, authorizing reorganization of Board of Assessors of City of Boston be accepted—that same ought to pass.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) authorizing transfer in appropriation for Assessing Department of \$6,535.12 from Contractual Services to Equipment, \$4,035.12, and Supplies, \$2,500—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

4. Report on message of Mayor and order (referred today) appropriating \$3,100,000 for Public Welfare, Soldiers' Benefits and Federal Emergency Unemployment Relief Projects—that same ought to pass.

Report accepted; said order given its first reading and passage, yeas 19, nays 0.

The order will take its second reading and passage in not less than fourteen days.

5. Report on order (referred April 25) accepting chapter 205 of Acts of 1935, providing for leave of absence for military duty—recommending passage of the accompanying new draft, viz.:

Ordered, That section 67 of chapter 33 of the General Laws, as amended by chapter 205 of the Acts of 1935, relative to military service of employees be, and hereby is, accepted.

Report accepted; said order passed.

CONFIRMATION OF CONSTABLES.

Coun. AGNEW called up, under unfinished business, appointment of constables, as follows:

On April 11, Samuel C. Baker, Carl Birger Berg, Alfred Blaustein, Sydney Cohen, Charles M. Daley, William Davis, Louis Goldberg, Mark H. Krafzur, Maurice Levine, Timothy J. McInerney, Bert Oppenheim, Sidney J. Sheinfeld, Leon Small, Benjamin J. Tackeff.

On May 2, Thomas M. Calafatao, Jacob Goldberg, Albert A. Levine, John J. Miller, Herbert Rosenberg, Jacob E. Schrank, Harry L. Sila, Louis Sykes and David Weir.

Coun. AGNEW moved for the confirmation of the above named constables, authorized to serve civil process. The question came on confirmation, Committee, Coun. Irwin and Sullivan. Whole number of ballots 16; yeas 19, and the appointments were confirmed.

CONFIRMATION OF WEIGHERS OF GOODS.

President KERRIGAN called up, under unfinished business, the following appointments, of May 2, 1938, of Weighers of Goods:

David E. Wiggin, Charles T. Aylward, Wilfred Landry, Austin E. Rowe and Tina Braecia.

The question came on confirmation, Committee, Coun. Agnew and Galvin. Whole number of ballots 17; yeas 17, and the appointments were confirmed.

THE NEXT MEETING.

It was voted, on motion of Coun. DOWD, that when the Council adjourns it be to meet on Tuesday, May 24, 1938, at 2 p. m.

CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Andrew E. Connolly (referred April 4) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor vehicle belonging to the Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred thirty-six dollars and fifteen cents (\$136.15) be allowed and paid to Andrew E. Connolly in reimbursement for the amount of judgment 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 Contingent Fund.

Report accepted; said order passed.

2. Report on petition of Andrew E. Connolly (referred on April 4) to be reimbursed for amount of judgment issued against him on account of his acts as operator of motor vehicle belonging to the Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of fifty-one dollars and ninety cents (\$51.90) be allowed and paid to Andrew E. Connolly in reimbursement for the amount of judgment 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 Contingent Fund.

Report accepted; said order passed.

3. Report on petition of Andrew E. Connolly (referred on April 4) to be reimbursed for the amount of judgment issued against him on account of his acts as operator of motor vehicle belonging to the Police Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of fifty-nine dollars and eighty cents (\$59.80) be allowed and paid to Andrew E. Connolly in reimbursement for the amount of judgment 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 Contingent Fund.

Report accepted; said order passed.

4. Report on petition of William P. McNulty (referred on April 11) to be reimbursed for the 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-five dollars (\$25) be allowed and paid to William P. McNulty in reimbursement for the amount of judgment issued against him on account of his acts as operator of a motor truck belonging to the Sanitary Division of the Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

PAYMENT TO THOMAS E. GOGGIN.

Coun. GEORGE A. MURRAY and KER-RIGAN offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation for the payment of an annuity of \$1,000 to Thomas E. Goggin, formerly an employee of the City of Boston and County of Suffolk, and an annuity of \$200 to minor child, because of injuries in the course of the employment of the said Thomas E. Goggin, provided that such legislation includes a referendum to the Mayor and the City Council.

Passed under suspension of the rule.

ROPING OFF SPACE ON COMMON.

Coun. SHATTUCK offered the following:

Ordered, That the City Messenger cause to be roped sufficient space on the Common, in connection with a review to be tendered by the 101st Regiment of Infantry to the Honorable Harry H. Woodring, Secretary of War, on Saturday, May 21, at 4.30 p. m., the expense attending the same to be charged to the appropriation for City Council, B-5 and B-42.

Passed under suspension of the rule.

INSTALLATION OF TRAFFIC LIGHTS.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of transferring sufficient money from some available fund to install traffic lights at various dangerous intersections in Boston, particularly at Brigham Circle, Ward 10.

Coun. CAREY—Mr. President, at our meeting of January 10, I introduced an order asking for the installation of automatic traffic signal lights at Brigham Circle, Ward 10. At that time I knew of approximately forty accidents that had happened at that intersection. Since that time there have been numerous minor accidents and two fatal accidents. At any moment this sort of thing is apt to be brought right to our own door, because of our own fathers and mothers or little sons and daughters being struck at Brigham Circle or other bad intersections in this city by automobiles or street cars. I certainly feel that there is a very serious duty resting on the city fathers to protect the public from dangerous accidents at such places, and I hope that in the very near future his Honor the Mayor will find it possible to transfer money from some fund in order to provide traffic lights at such a dangerous intersection as Brigham Circle.

The order was passed under suspension of the rule.

PEDESTRIAN PUSH BUTTON, WARD 22.

Coun. SULLIVAN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a pedestrian push-button feature in the traffic signal at the intersection of North Beacon and Parsons streets, Ward 22, to provide an exclusive pedestrian period, so that persons getting on and off buses may cross this very dangerous street.

Passed under suspension of the rule.

RESURFACING OF WARD 14 STREETS.

Coun. TAYLOR, for Coun. Rosenberg, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Rosseter street, Ward 14, under the present W. P. A. plan of construction.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Bradshaw street, Ward 14, under the present W. P. A. plan of construction.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Wellington Hill street, Ward 14, under the present plan of W. P. A. construction.

Severally passed under suspension of the rule.

CLEARING SNOW FROM HYDRANTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Commissioner of Public Works to again resume the proper function of his department in clearing snow from both post and flush hydrants, so that uniformed members of the Fire Department may more promptly be available for fire duty during the winter season.

Coun. WILSON—Mr. President, I have introduced that order today, for the second time, because I think the response of the Public Works Commissioner last month to the order I previously introduced was more or less in humorous vein. His response to that order, filed in January, after some four months of heavy thinking, was as follows:

"You are advised that, in my opinion, it is most desirable that the Fire Department be required to clean the snow from post and flush hydrants, due to the fact that it will train them in the location of hydrants and that they will be more apt to find them when needed, in the event of a fire."

Now I assume that the commissioner was in rather a jocular mood when he wrote this message and really thought that he was settling the question very cleverly when he made that reply. He did not do so with me, however, because I am still one of those who realize that the members of the Fire Department of the City of Boston know where the fire hydrants are without a diagram. I repeat again, nevertheless, what I said last January, that the original job was done by the Public Works Department, but that in years gone by the job was transferred to the Fire Department. I still believe that the clearing of the snow from these hydrants is the proper function of the Department of Public Works. In the district I represent, a district that has a few hills and contours, it is my personal belief that the best place for a fireman, having in mind fire protection, is his own firehouse, and that the important thing is that he may be promptly available for fire duty during the winter season without other things to take up his attention. Therefore, this clearing of snow from the hydrants is, to my mind, a proper function of the Public Works Department, although fully realizing that the members of the Fire Department, certainly in the ward I represent, do know, as they should know, the location of the fire hydrants.

The order was passed under suspension of the rule.

AMOUNT RECEIVED FROM FEDERAL GOVERNMENT.

Coun. WILSON offered the following:

Ordered, That the Statistics Department be requested, through his Honor the Mayor, to advise the City Council promptly as to the annual figures from 1933 to date, giving the amount of money received by the City of Boston from the Federal Government:

1. As direct grants for welfare purposes;
2. As money allocated to the City of Boston for P. W. A. projects;
3. As allotments for C. W. A., E. R. A. and W. P. A. purposes;
4. As payments to the City of Boston for Old Age Assistance and Mothers' Aid cases.

Coun. WILSON—Mr. President, if my good friend from Hyde Park (Coun. Norton) were present, he would probably refer to this as another one of my orders keeping departments of this city busy in providing for us detailed statistical information. The information asked for in this order, however, should be available not only to the City Council of Boston but to the taxpayers of the City of Boston. I know that it is readily available. That is something that I have verified. So I am now putting in the request in this official form, so that the powers that be may give us the requested information or be on record as refusing to furnish it.

The order was passed under suspension of the rule.

TRAFFIC STOP LIGHT, WARD 4.

Coun. CHASE and Coun. WILSON offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a suitable traffic stop light at the intersection of Parker and Ruggles streets, Ward 4.

Coun. WILSON—Mr. President, that order may perhaps be considered as in the same line with the one offered earlier in the session by Councilor Carey, and the remarks he made on his order apply with equal force to this one. While the location referred to is not in Dorchester, I am personally interested in it with Councilor Chase, in view of the fact that the largest Greek church in Boston and eastern Massachusetts, with a membership of something like 2,500, is located close by, besides the fact that the Wentworth Institute is in that neighborhood. The order was passed in the Council February 8, 1937, and also in August; and again on February 7, 1938. It is introduced at this time bearing in mind that there have been two extremely bad accidents at this point within the past three weeks. I agree that the City of Boston is badly up against it for ready money, as shown by the fact that once again we are borrowing \$3,000,000 for the payment of current bills. That order went through with my indorsement, because I believe the administration should get off on the right foot and be in a position to do what must be done. I realize that the Mayor is up against it, but I also realize that there are locations in Boston where traffic lights, for which we should find the money, are sadly needed; even though we might take down some of the traffic lights in downtown Boston and place them in outlying sections. As a matter of fact, we have police officers on duty on Washington street, anyway, where people insist on walking in the street, and there are officers on duty at every important downtown intersection where there are now traffic lights. It might be possible, even, to take down some of the traffic lights facing the Common, at intersections that are already guarded by police, and place them at intersections a little farther out where areas are congested, where people attending church are crossing back and forth, and where children and young people attending schools are in need of reasonable and proper protection.

The order was passed under suspension of the rule.

WARD 20 IMPROVEMENTS.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Beech street, from Washington street to the West Roxbury Parkway, Ward 20, under the W. P. A. plan of construction.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install proper sidewalks on Beech street, Ward 20, from Washington street to the West Roxbury Parkway, under the W. P. A. plan of construction.

Severally passed under suspension of the rule.

INSPECTION OF GUARDS ON BRIDGES.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be instructed, through his Honor the Mayor, to have all railings and guards on the various bridges of the City of Boston inspected to eliminate any dangerous conditions that may exist at the present time.

Passed under suspension of the rule.

Adjourned, on motion of Coun. FITZGERALD, at 3.28 p. m., to meet on Tuesday, May 24, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, May 24, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Harris.

JURORS DRAWN.

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

Nine special grand jurors, Superior Criminal Court, to appear May 26, 1938:

Charles W. Pearson, Ward 1; William B. Hager, Ward 6; Charles F. Manley, Ward 7; William J. Coulter, Ward 14; Louis Zusman, Ward 14; Myles A. McDonough, Ward 17; William B. Ripley, Ward 18; Walter B. Mann, Ward 21; James J. Kerry, Ward 22.

APPOINTMENTS BY THE MAYOR.

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

Constables, for term ending April 30, 1939, to serve civil process upon the filing of bonds: John L. Murray, 115 Dale street, Ward 9; Peter E. Rasnick, 13 Ridgewood street, Ward 15; Richard J. Cronin, 359 Grove street, Ward 20; Aubrey B. Lyons, 160 Allston street, Ward 21.

Weighers of Goods: William J. Barrett, 680 Columbia road, Boston; David J. Cowhig, 147 Boston street, Boston; C. D. Black, 93 Melrose street, Arlington.

Weighers of Coal: Catherine A. McFarland, 24 Willis street, Dorchester; Maurice J. Gallivan, 58 Dracut street, Dorchester; L. C. Mullin, 50 Call street, Jamaica Plain.

Severally laid over a week under the law.

SALE OF OBSOLETE X-RAY FILMS.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.

To the City Council.

Gentlemen,—I inclose herewith an order for the sale of obsolete X-ray films at the City Hospital. As this material is no longer needed by the Hospital Department I recommend passage of the accompanying order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, May 16, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—There is an accumulation at this hospital of approximately 4,220 pounds of obsolete X-ray films.

As these films are no longer required by the hospital, the trustees are desirous of disposing of them.

I therefore respectfully request that your Honor submit the inclosed order to the City Council for consideration and passage by that Honorable Body.

Respectfully yours,
JAMES W. MANARY, M. D.,
Superintendent.

Ordered, That the trustees of the Boston City Hospital be, and hereby are, authorized to sell approximately 4,220 pounds of obsolete X-ray films, not required by the Hospital Department, after inviting bids therefor by advertisement in the *City Record*.

Referred to the Executive Committee.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith an order for the transfer of ninety-five thousand dollars from the income of the George F. Parkman Fund to be used by the Park Department for the payment of salaries of permanent employees. This method of reducing budget requirements has been in vogue for the past few years and meets with my approval.

I therefore request that your Honorable Body approve the accompanying order.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, May 17, 1938.
Hon. Maurice J. Tobin,
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 \$95,000 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..... \$95,000

When making up the budget estimates for the year 1938, 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 1938, 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 \$95,000 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..... \$95,000

Referred to the Executive Committee.

ABANDONMENT OF PROPERTY FOR FIRE PURPOSES.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—In a communication from the Fire Commissioner which accompanies this message the use for fire purposes of the buildings at 201 Cabot street, 11 Elm street and 440 Harrison avenue is formally abandoned.

I recommend the passage of the accompanying order placing the property in the charge of the Public Buildings Department.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, May 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Subject to your Honor's approval the following buildings, which have been abandoned for use as fire stations, will be turned over to the Public Buildings Department:

Engine House 13, 201 Cabot street, Roxbury.
Engine House 27, 11 Elm street, Charlestown.
Engine 3 and Ladder 3 House, 440 Harrison avenue, corner of Bristol street.

The house formerly occupied by Engine Company 3 and Ladder Company 3 should be torn down as

the building was condemned by the former Building Commissioner, due to the condition of the walls and settlement of the foundation.

Respectfully yours,
WILLIAM ARTHUR REILLY,
Fire Commissioner.

Ordered, That the land and holdings at the locations named having been formally abandoned for fire purposes be, and hereby are, placed in the care, custody and control of the Public Buildings Department, viz.:

Engine House 13, 201 Cahot street, Roxbury.
Engine House 27, 11 Elm street, Charlestown.
Engine 3 and Ladder 3 House, 440 Harrison avenue.

Referred to the Executive Committee.

ABANDONMENT OF HAYMARKET SQUARE RELIEF STATION.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—It having been definitely decided to abandon for hospital purposes the Haymarket Square Relief Station, it is necessary, in order to use the property for other municipal purposes, to transfer it to the Public Buildings Department.

As the preliminary arrangements have been almost completed for the reassignment of several departments with the prospect of savings in outside rentals and better service to the public, I recommend the immediate passage of the accompanying order.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That the land in Haymarket square and Canal street, placed in the charge of the Hospital Department under an order of the City Council, passed December 28, 1899, be transferred to the custody and control of the Public Buildings Department, together with the buildings thereon.

Referred to the Executive Committee.

REPAVING OF RADCLIFFE STREET.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 2, 1938, concerning the repaving of Radcliffe street, Ward 14.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return information as requested under City Council order of May 2 relative to the repaving with smooth pavement Radcliffe street, Ward 14, and you are advised that I will submit this street for construction this year under a W. P. A. project.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

RESURFACING OF JOHNSTON ROAD.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 2, 1938, concerning the resurfacing of Johnston road, Ward 14.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order from the City Council as passed under date of May 2, requesting that the Commissioner of Public Works, through his Honor the Mayor, resurface with smooth pavement Johnston road, Ward 14, and you are advised that this street will be submitted on a W. P. A. project and constructed this year.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

RECONSTRUCTION OF INGLESIDE STREET.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 25, 1938, concerning the reconstruction of Ingleside street, Ward 13.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith copy of City Council order as passed under date of April 25, requesting that the Public Works Commissioner, through his Honor the Mayor, reconstruct Ingleside street, Ward 13, under the W. P. A., and you are advised that this street will be submitted on a project for construction this year.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

COAL DUST IN SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Health Department relative to your order of April 25, 1938, concerning the conditions in South Boston, between City Point and the Christopher J. Lee Playground, as to coal dust from the various plants in that vicinity.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, May 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—An investigation has been made of conditions in South Boston, between City Point and the Christopher J. Lee Playground, as to coal dust from various plants in that vicinity, in accordance with the order of the City Council dated April 25, 1938, transmitted to this department with your memorandum of May 4, 1938, with the following results:

Four concerns were included in this investigation, namely:
Boston Edison Company, 620 East First street.
C. H. Sprague & Son Company, 658 East First street.

Boston Elevated Railway, 714 East First street.
White Fuel Corporation, 900 East First street.

For the purposes of this report, the Boston Edison Company and the C. H. Sprague & Son Company may be considered as one unit and location.

The Health Department has, for a number of years, kept these plants under observation and, from time to time, made suggestions and requested changes in operation for the purpose of preventing possible nuisances and annoyance to residents in the vicinity of these plants.

The principal cause for complaint in the past has been the emission of dust and "fly ash" from

the stacks of the two public service plants, the Boston Edison Company and the Boston Elevated Railway.

Until we succeeded in obtaining the cooperation of the plants mentioned above in providing proper and adequate modern devices for preventing the escape of the objectionable material from the stacks, there is no question but what a serious nuisance existed. Large quantities of coal dust and "fly ash" were deposited on the playground and private property over an extensive area. The two companies have, at very great expense, installed proper devices which remedied the objectionable conditions.

It must be recognized that the only way to prevent some degree of dust from soft coal is by stopping the use of such fuel. It is obvious that such drastic action is impossible at this time.

The Edison Company, including the C. H. Sprague & Son Company and the Boston Elevated Railway, have installed, at the request of the Boston Health Department, elaborate systems for sprinkling the coal piles. These sprinkler systems are in use during handling of the coal, and also at times when the wind direction is such that dust might be blown in the direction of the playground and dwellings in the vicinity.

The White Fuel Company depends on a system of outlets for connecting of hose to wet down the coal piles and keep down the dust. The open areas and driveways in all the plants are kept wet down and oiled to prevent dust from the passage of trucks.

The matter of the loading and passage of trucks through the streets has been a matter for consideration by this department. The overloading of trucks was a source of dust and was remedied, to a large extent, by the cooperation of the coal companies in limiting loads carried by the truck when delivering fuel.

A special tour of this district made by the Health Commissioner, personally, appeared to support the contention of our inspectors that conditions were good and that no evidence of dust from the coal yards was apparent.

We intend to keep conditions under careful observation and to continue suggestions for improvement as the need may arise. At present, with the possible exception of the yard of the White Fuel Corporation, everything is being done that can be expected.

We have assurances of continued cooperation from the companies mentioned in this report and feel that they are doing their part in preventing any nuisances arising from the operation of the plants.

Respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

SOFT COAL DUST, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Health Department relative to your order of May 2, 1938, concerning an investigation of the conditions in the vicinity of that part of East Boston known as Central square, caused by soft coal dust from such coal.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, May 19, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Replying to the order of the City Council of May 2, 1938, transmitted to this department with your memorandum of May 4, 1938: "Ordered, That his Honor the Mayor be requested to direct the Health Department of the City of Boston to investigate into conditions in the vicinity of that part of East Boston known as Central square, caused by soft coal dust from such coal, attributable to the manner in which such coal is stored and handled on the premises of the City Fuel Company on Border street, East Boston, and the department be requested to take such steps as may be proper to improve such conditions without placing an unfair burden upon the owners or users of said coal and to report on or before the 23d day of May, 1938, the result of its investigations and its recommendations, if any."

In compliance with the foregoing order, we have investigated the conditions and find that reasonable care is being taken to prevent dust from the handling and storage of coal becoming a nuisance in the neighborhood.

Approximately 150,000 tons of coal is on the wharf at the present time, although the quantities vary from time to time.

The coal is delivered by boats and barges, is unloaded by cranes and coal lifts and deposited in different parts of the yard by overhead conveyors.

We were informed that certain types of coal were treated at the mines with oil and that the soft coal was sprayed with water to reduce the dust caused by loading and handling the coal at the source of supply.

Each conveyor at the wharf is provided with a water line and hose. A four (4) inch water line with ten valves is provided on the wharf for spraying the coal to keep down the dust.

The superintendent of the City Fuel Company states that the coal piles are sprayed at least three times daily and at other times when necessary.

Some coal dust was noted in Central square. This was believed to have come from the delivery trucks.

We have suggested to the City Fuel Company that more care be exercised to prevent overloading of the delivery trucks. The coal company has agreed to cooperate and to provide canvas covers for the trucks.

The inspectors have been instructed to keep the wharf and trucks under observation which we hope will result in improved conditions.

It is difficult to handle such large quantities of soft coal without some dust. We feel, however, that with the cooperation promised by the coal company, a minimum of annoyance will be experienced in this neighborhood.

Respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

WAITING STATION, BLUE HILL AVENUE AND SEAVER STREET.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.

To the City Council.

Gentlemen,—I transmit herewith letter from the President and General Manager of the Boston Elevated Railway relative to your order of April 25, 1938, concerning the advisability of erecting a waiting station booth at the junction of Blue Hill avenue and Seaver street.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
May 17, 1938.

Mr. William T. Doyle,
Secretary, Mayor's Office.

Dear Sir,—Replying to your letter of May 4 with order of the City Council requesting that consideration be given to the advisability of erecting a waiting station booth at the junction of Blue Hill avenue and Seaver street, in view of the expense involved the trustees do not feel that the provision of additional shelters at stopping places and transfer points can be justified.

The service passing this location is on one and one-half minutes headway during the rush hours, four minutes during the middle of the day and six minutes after 8.30 at night. There are, of course, many places on the system where the headway is less frequent and maintenance of shelters at such locations would add to the deficit assessments.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

BUST OF DOCTOR SEARS.

The following was received:

City of Boston,
Office of the Mayor, May 24, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Art Commission relative to

your order of April 25, 1938, concerning the permission of early acceptance by the City Hospital Trustees of completed bust of Dr. George G. Sears.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Art Commission, May 19, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—In response to yours of May 4, asking for report on City Council order of April 28, 1938, relative to the permission of early acceptance by the City Hospital Trustees of completed bust of Dr. George G. Sears, I beg to state that this commission has expected action by the City Hospital Trustees for more than a year, along lines apparently agreeable to the trustees when this commission last heard from them.

Yours very truly,

ROBERT P. BELLOWS, Chairman.

Placed on file.

INFORMATION FROM ASSESSING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, May 24, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Assessing Department relative to your order of April 13, 1938, concerning (1) the number of homes owned by banking institutions; (2) the number of homes owned by private individuals; (3) the number of business and mercantile properties owned by banking institutions; and (4) the number of business and mercantile properties owned by private individuals.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Assessing Department, May 16, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Replying to the request of April 13 to furnish the City Council with information regarding the number of homes and business properties owned by private individuals and by banking institutions, I would say that because of the high pressure on the Assessing Department at this time of the year in the preparation of the tax rate and the tax bills, it has been impossible to make any progress regarding this information.

In my opinion, this work would necessitate the employment of a substantial number of employees of the department at a time when they cannot well be spared from their regular office work.

It would necessitate the analysis of approximately 80,000 accounts to classify them as requested in the Council order.

The chief clerk advises me that it would take the time of one clerk for four weeks or more to perform this work, and it is hoped that the furnishing of this information may be delayed until a later period when the books and clerks will be available for this extra work.

Very truly yours,
EDWARD T. KELLY, Chairman.

Placed on file.

LIST OF BUILDINGS TO BE RAZED.

The following was received:

City of Boston,
Office of the Mayor, May 9, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of May 2, 1938, concerning the furnishing to the City Council, a list of buildings which are to be razed and also those which are in danger of collapse.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, May 7, 1938.

Mr. William T. Doyle,
Secretary, Mayor's Office.

Dear Sir,—Your communication of May 5, 1938, relating to City Council order of May 2, 1938, concerning the furnishing to the City Council of a list

of buildings which are to be razed and also those which are in danger of collapse, has been received.

The carrying out of the intent of said order will furnish information exactly as that called for by previous City Council order, under date of April 13, on motion of Councilor Wilson. At the present time a survey is being made of the city and report of structures unfit for occupancy or habitation is in progress and already such structures are being catalogued as to location by ward, street and number, with comments on their conditions. I believe that this list will be available for your office not later than Friday, May 20.

Very truly yours,

JAMES H. MOONEY,
Building Commissioner.

Placed on file.

BUS SERVICE, BLUE HILL AVENUE.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway Company relative to your order of May 2, 1938, concerning the extension of bus service, *re* Blue Hill avenue and Talbot avenue.

Respectfully,

MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
May 13, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The trustees considered at their meeting on May 11 the request of the City Council, received with your letter of May 5, relative to extension to Blue Hill avenue and Talbot avenue of the bus service operated during the summer months between Franklin Park and Carson Beach, but in view of existing service and the fact that an extension of the bus line would add to the deficit, they do not feel that under present circumstances it can be justified.

Very truly yours,

EDWARD DANA,
President and General Manager.

Placed on file.

PARKING REGULATIONS, KENWOOD STREET.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 25, 1938, concerning parking regulations on Kenwood street, Dorchester.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, May 11, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated April 25, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to advise the City Council what existing parking regulations are in effect with reference to Kenwood street, Dorchester."

One-hour parking is permitted in Kenwood street, Dorchester, from 1 a. m. to 6 p. m. From 6 p. m. to 1 a. m. the time for parking is unlimited.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Place on file.

SURVEY OF DWELLING STRUCTURES.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your order of

April 15, 1938, concerning the making of an examination, survey and report with reference to dwelling structures in Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, May 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Referring further to my letter to your Honor of April 26, 1938, on the subject of the order of the City Council dated April 15, 1938, as follows:

"That the Health Commissioner and Building Commissioner be requested, through his Honor the Mayor, to make an examination, survey and report with reference to dwelling structures in Boston listed by the City Planning Board in its 1935 Real Estate Inventory as unfit and unsafe for habitation, namely, 1,509 dwelling structures or 3,912 dwelling units."

I beg now to submit the report of the findings of the Division of Housing and Sanitation of this department as to the number of structures unfit and unsafe for human habitation. As will be observed by the report of that division, all of these structures are unoccupied. The findings of this department coincide very closely with those of the Building Department, whose final report, I am advised, is now being submitted.

I trust that this final report provides the information requested in the order of the Council.

Yours respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

May 20, 1938.

To: Health Commissioner.
From: George J. McElroy, in charge, Housing and Sanitation Division.

Subject: Survey of Dilapidated Buildings.

The following is the result of a survey made to enable you to comply with the order of the City Council, forwarded from the office of his Honor the Mayor in April, requesting information as to dwellings "unfit and unsafe for habitation":

| | |
|-------------------------------|-----|
| Total dwellings reported..... | 360 |
| Single dwellings..... | 95 |
| Two-family dwellings..... | 50 |
| Three-family dwellings..... | 177 |
| Tenement houses..... | 38 |

Of the 360 dwellings reported, all of which were unoccupied, 309 were, in the judgment of the inspectors, unfit for habitation.

Ward 1, 5; Ward 2, 48; Ward 3, 24; Ward 4, 14; Ward 5, 7; Ward 6, 38; Ward 7, 35; Ward 8, 22; Ward 9, 68; Ward 10, 23; Ward 11, 20; Ward 12, 22; Ward 13, 1; Ward 14, 4; Ward 15, 4; Ward 16, 4; Ward 17, 1; Ward 18, 1; Ward 19, 5; Ward 20, 1; Ward 21, 6; Ward 22, 7. Total dwellings reported, 360.

GEORGE J. McELROY.

Placed on file.

NEW BOILER, DEER ISLAND.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Penal Institutions Department relative to your order of May 2, 1938, concerning the installation of a new boiler at the House of Correction, Deer Island.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Penal Institutions Department,
May 11, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Adoption of the attached City Council order dated May 2, 1938, which reads as follows:

"Ordered, That the Penal Institutions Commissioner be requested, through his Honor the Mayor, to take immediate steps to install a new boiler at the House of Correction, Deer Island, to replace the one which is now declared unsafe for operation."

would involve an expenditure of approximately \$50,000. For the installation of a new boiler it would be necessary to provide for an addition to the present boiler room as well as the erection of the boiler and fittings.

The budget allowance for this department for the year 1938 does not admit of the installation of new equipment involving a substantial expenditure such as this would entail.

Respectfully,
JOHN J. DOUGLASS,
Penal Institutions Commissioner.

Placed on file.

PAINTING TRAFFIC LINES, BLUE HILL AVENUE.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 25, 1938, concerning the painting of the traffic lines on Blue Hill avenue, between Seaver street and American Legion Highway.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, May 11, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated April 25, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint the traffic lines on Blue Hill avenue, between Seaver street and American Legion Highway."

Our painting program has been delayed due to lack of help. The roadway painting in Blue Hill avenue will be done as soon as possible.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

PAINTING OF TRAFFIC LINES, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 25, 1938, concerning the repainting of the crosswalk lines and safety zone boxes along Bennington street, from Neptune road to Orient Heights.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, May 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated April 25, 1938, which reads as follows:

"Ordered, That his Honor the Mayor instruct the Traffic Commission to repaint the crosswalk lines and safety zone boxes along Bennington street, from Neptune road to Orient Heights, and also to make a survey of this area and establish better protection for pedestrians."

The street painting program of the Traffic Commission is late this year because of the lack of labor to keep our program up to date.

The crosswalks and safety zone boxes along Bennington street will be painted in the very near future.

About a year and a half ago the street car reservation was removed from Bennington street and it is now a smooth pavement from curb to curb. This improved pavement has caused a great increase in the speed of automobile traffic using the street and has created a serious pedestrian accident hazard at the various intersection streets.

The volume of traffic on these cross streets is not sufficient to warrant the installation of "Stop" and "Go" signals. However, it is the opinion of

the engineers of this commission that an excellent location for the installation of a signal which would normally show flashing green indications to Bennington street and flashing red indications to the side street, compelling traffic to stop before proceeding through the intersection, would be the intersection of Bennington street and Moore street. This signal would be equipped with pedestrian push buttons, which, when actuated by a pedestrian, would afford an exclusive pedestrian period, indicated by red and yellow signals.

In addition, this signal would tend to break up the flow of traffic in both directions in Bennington street. The estimated cost of installing a signal of this type would be about \$2,000.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

WADING POOL, EMMONS PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 2, 1938, concerning the advisability of constructing a wading pool at the Emmons Playground, Charlestown.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, May 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have your memorandum of May 4 with inclosure, Council order relative to the advisability of constructing a wading pool at the Emmons Playground, Charlestown.

In order to construct a wading pool at this point it would be necessary to do away with the ball field, as the area known as the Children's Corner is not large enough or safe enough, being too close to the street. It would be very inadvisable to build a wading pool without a chlorinating plant.

I would be very pleased to make some tests as to whether or not the terrane will permit of a foundation for a wading pool. Our experience has been that out-door wading pools, unless chlorinated and watched over very carefully, are a grave source of danger, especially to children.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

CLEANING OF ROSLINDALE SQUARE.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 2, 1938, concerning arrangements being made for the cleaning of Roslindale square, nightly, or at least on Saturday night.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 23, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of May 2, 1938, requesting that arrangements be made for the cleaning of Roslindale square, nightly, or at least on Saturday nights.

In this connection you are respectfully informed that the local foreman of this district has a regularly assigned man in this street daily from 8 a. m. to 5 p. m. whose duty it is to keep the square clean. In addition, he assigns a man to clean the square each Sunday, between the hours of 7 a. m. and 11 a. m.

This department is doing everything that it possibly can to keep this square in a clean condition.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING OF VERMONT STREET.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 2, 1938, concerning the resurfacing and installation of sidewalks on Vermont street, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 23, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of May 2, requesting the resurfacing and installation of sidewalks on Vermont street, Ward 20.

Vermont street is now on one of our projects for construction and during the present season it will be resurfaced and sidewalks of bituminous concrete will be constructed, where necessary.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

PLAYGROUND, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 2, 1938, concerning the establishing of a playground in the area between Russett road and Newfield street, off the Veterans of Foreign Wars Parkway, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, May 9, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I received a memorandum of May 5 from William T. Doyle, chief clerk, Mayor's office, with enclosure, order from the City Council, that the Park Department establish a playground in the area between Russett road and Newfield street, off the Veterans of Foreign Wars Parkway.

I regret exceedingly to inform you the department has no funds available for this purpose at the present time.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

SAFETY ISLAND, HUNTINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 25, 1938, concerning the erection of a 7-foot grass plot safety island on Huntington avenue.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith information requested under order as passed in City Council on April 25, requesting that the Commissioner of Public Works, through his Honor the Mayor, include in the plans for the reconstruction of Huntington avenue, between Copley square and Gainsborough street, after the subway work has been completed, the erection of a 7-foot grass plot safety island to replace the present street car reservation, and you are advised that the plans as suggested have been under consideration by this department for some time.

I have been further advised that the Street Commissioners will consider this improvement as soon as the tunnel work has been completed, as both departments feel that it would be a great aid to pedestrians and others who will be forced to use the street.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RECONSTRUCTION OF HOLIDAY STREET.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 25, 1938, concerning the reconstruction of Holiday street, between Toplift street and Geneva avenue, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 11, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of City Council order of April 25 relative to the reconstruction of Holiday street, between Toplift street and Geneva avenue, Ward 15, and you are advised that I have submitted this project to the W. P. A. and, no doubt, the improvement will be completed this year.

Respectfully yours,
EDWARD M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

ADDITIONAL INVESTIGATORS, WELFARE DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, May 23, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Director of the Overseers of the Public Welfare relative to your order of April 25, 1938, concerning the assigning of additional investigators in that department.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
May 10, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—Replying to your communication of May 4 in which you require consideration and report on City Council order of April 25, 1938, concerning the assigning of additional investigators in this department to take care of applicants for W. P. A. employment, please be advised that the entire plan of procedure with reference to W. P. A. registration and certification was changed on April 27.

This new plan provides for a city-wide activity for certifications. As now in operation, certifications are being done in ten district offices with the entire visiting staff taking on this duty in addition to their regular relief work.

This new plan of certification includes, of course, non-welfare and welfare cases.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Norman B. Allard, for compensation for damage to car by city car.

Siragon Bengoian, for compensation for damage to car by city team.

Minnie Brown, for compensation for injuries caused by an alleged defect at 38 Intervale street.

Jennie I. Bulger, for compensation for collapse of water boiler at 38 Ridlon road, caused by water being shut off.

Cataldo Ciaccio, to be reimbursed for execution issued against him.

Ellen A. Collins, for compensation for damage to property at 2930 Washington street, Roxbury, by city truck.

Mrs. C. B. Cox, for compensation for damage to coat caused by an alleged defect in Summer street.

Fannie L. Deacks, for compensation for injuries caused by an alleged defect at Water street and Fairmount avenue.

Mrs. Walter T. Donohue, for compensation for injuries caused by an alleged defect at La Grange and Washington streets.

John P. Donovan, to be reimbursed for execution issued against him.

Joseph Dorfman, for compensation for damage to property at 25 Albion street, by city employees.

Margaret Enos, for compensation for damage to truck by police car.

John P. Frye, for reimbursement for execution issued against him.

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

Charles N. Ginsburg, for refund on victualler's license.

Charles N. Ginsburg, for refund on refuse tickets.

John P. Harnett, to be reimbursed for execution issued against him.

William F. Healey, for compensation for damage to car caused by an alleged defect at 39 Green street.

Teresa M. Hennessy, for compensation for injuries caused by an alleged defect at 1563 Blue Hill avenue.

Frances Hoban, for compensation for damage to clothing caused by tar on street at 26 Gates street.

John H. Kennelly, for refund on plumbing permit.

Maurice G. and Maxine R. Levin, for compensation for injuries and damage to car by city car.

Thomas Joseph Maher, to be reimbursed for execution issued against him.

Felix Marchesi, to be reimbursed for execution issued against him.

Michael J. McDonough, to be reimbursed for execution issued against him.

Mary J. Miller, for compensation for injuries caused by an alleged defect at 12 and 14 Bloomfield street.

John Murray, for compensation for injuries caused by city truck.

Elizabeth M. O'Brien, for compensation for injuries caused by an alleged defect at 8 Orient avenue.

Mary C. O'Keefe, for compensation for damage to car caused by an alleged defect at 1044 Saratoga street, East Boston.

Esther Rice, for compensation for injuries caused by an alleged defect at 24 Sonoma street.

Joseph F. Richardson, to be reimbursed for execution issued against him.

George B. Rittenberg, trustee of Sumner Realty Trust, for compensation for damage to property at 471 Beacon street, caused by water pipe.

E. C. Roberts, for compensation for bursting of water boiler at 225 Walnut avenue, caused by water being shut off.

Mary Saucuk and Marion Bavis, for compensation for injuries caused by city truck.

Mary E. Sommer, for compensation for injuries caused by an alleged defect at 22 Belfort street.

Joseph A. Treanor, for compensation for damage to car caused by an alleged defect in Penfield street.

Elmer H. Trump, for refund on dog license.

B. Wyzansky, for compensation for damage to car by tip cart.

John D. Buckley, to be reimbursed for executions issued against him.

Executive.

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

Patience A. Robertie, Brightelmstone Hall, June 13.

Phyllis Warden, Eliot Hall, June 10.

Kathryn I. Bryner, Y. W. C. A. Hall, June 15.

Lilla Viles Wyman, Copley Theatre, May 27.

Lillian Arden Chiampa, East Boston High School, June 20.

Hazel Boone, Jordan Hall, June 9.

Mildred C. Sacco, East Boston High School, May 28 and June 3.

Stertz-Ruby Dance School, Plymouth Theatre, May 24.

Gertrude Marshall, Temple Mishkan Tefila, June 9.

James A. Ecker, Jordan Hall, May 18.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between junction of Heath street and South Huntington avenue and Dudley street station, over Heath street, Columbus avenue, Centre street, John Eliot square, Dudley street, Washington street and/or Warren street; return over Washington street, Roxbury street, John Eliot square, Centre street, Columbus avenue and Heath street.

Petition of Boston Elevated Railway for license to operate motor vehicles between the junction of Washington street and Chestnut Hill avenue and Cleveland Circle, over Chestnut Hill avenue and Cleveland Circle.

PETITION OF HOLYHOOD CEMETERY ASSOCIATION.

A petition was received from the Holyhood Cemetery Association for permission to use certain lands located in West Roxbury for burial.

Referred to the Executive Committee.

WITHDRAWAL OF PETITIONS.

Notices were received from the Boston Elevated Railway withdrawing petitions for license to operate motor vehicles as follows:

Petition of January 19, 1938, between Boston-Brookline line on Chestnut Hill avenue and Cleveland Circle, over Chestnut Hill avenue and Cleveland Circle.

Petition of February 10, 1938, between junction of Chestnut Hill avenue and Commonwealth avenue and Cleveland Circle, over Chestnut Hill avenue and Cleveland Circle.

APPROVAL OF \$1,000,000 TAX TITLE LOAN.

Notice was received from the Emergency Finance Board of vote passed May 16 approving of renewal of so much of one million dollar tax title loan as is outstanding June 7, 1938.

Placed on file.

APPOINTMENT OF WILLIAM F. KELLY.

Notice was received of the appointment, by the Mayor, of William F. Kelly of 67 Codman Hill avenue, Dorchester, to be a member of the Board of Park Commissioners for term ending April 30, 1941, *vice* John J. Martin.

Placed on file.

ABSENCE OF MAYOR FROM CITY.

Notice was received from the Mayor of his absence from the city from May 25 to Sunday evening, May 29.

Placed on file.

OFFICERS OF PUBLIC LIBRARY TRUSTEES.

Notice was received from Milton E. Lord, director of the Public Library, that at annual meeting of trustees, of Public Library May 6, 1938, the following officers were chosen: President, Mr. John J. Hall; vice president, Rev. Robert H. Lord; clerk, Miss Elizabeth B. Brockunier.

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.*:

Samuel C. Baker, Alfred Blaustein, Sydney Cohen, Charles M. Daley, Edgar F. Callahan, Salvatore Grassa, Max Jacobs, Harry Kahn, Mark H. Krafur, Maurice Levine, Edward Over, Michael W. Over, Bert Oppenheim, James G. Peters, Sidney J. Sheinfeld, Benjamin J. Tackeff, Francis J. Tobin, Joseph Todisco, David Weir, Carl Birger Berg.

TRANSIENT VENDOR'S LICENSE.

Notice was received from the City Clerk of the granting of a transient vendor's license to Guiseppina Martenello for the sale of flowers at 65 Meridian street, East Boston.

Placed on file.

CONFIRMATION OF APPOINTMENTS.

Coun. AGNEW, for the Committee on Constables, called up from No. 1 on the calendar the following names, *viz.*:

Action on appointments submitted by the Mayor April 11, 1938, of Constables authorized to serve civil process, *viz.*: John J. Adams, Milton Jacob Bronstein, Louis Budd, Thomas Cannizzaro, Abraham M. Hecht, Anthony Luongo, Frank J. Macchia, Bernard M. Mullen, William T. Rosen-garten, Joseph Simansky, Paul Stancato, Harry A. Webber, Louis Yacker.

The question came on confirmation.

President KERRIGAN also called up for confirmation Nos. 2 and 3 on the calendar, *viz.*:

2. Action on appointments submitted by the Mayor May 10, 1938, of Ralph J. Richards and Max Goldfarb to be Constables without authority to serve civil process and to serve without bonds.

3. Action on appointments submitted by the Mayor May 10, 1938, of John Pillow, to be a Weigher of Coal; and David J. Cowhig, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Sullivan and Irwin. Whole number of ballots 18; yes 16, no 2, and the appointments were confirmed.

\$7,000,000 LOAN ORDER.

President KERRIGAN called up, under unfinished business, No. 4 on the calendar, *viz.*:

4. Ordered, That under the provisions of chapter 235 of the Acts of 1938, the sum of \$7,000,000 be, and the same hereby is, appropriated, to be used for the finding of overlay deficits and other items, 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 May 2, 1938, the foregoing order was read once and passed, yeas 20, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

LOAN FOR WELFARE AND RELIEF.

President KERRIGAN called up, under unfinished business, No. 5 on the calendar, *viz.*:

5. Ordered, That under the provisions of chapter 58 of the Acts of 1938, the sum of \$3,100,000 be, and hereby is, appropriated, to be used for meeting appropriations made for public welfare, soldiers' benefits and federal emergency unemployment relief projects, 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, the same to be issued outside the debt limit.

On May 10, 1938, the foregoing order was read once and passed, yeas 19, nays 0.

The order was given its second and final reading and passage, yeas 21, nays 0.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. FITZGERALD, for the Committee on Public Lands, submitted the following:

1. Report on message of Mayor and order (referred May 2) recommending abandonment of easement on land on Hyde Park avenue—recommending reference to the Executive Committee.

Report accepted; said reference ordered.

FIVE-DAY WEEK.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor consider the advisability of placing all city workers on a five-day week wherever possible during the summer months.

Coun. DOWD—Mr. President, last year, as you will recall, the administration placed all of the workers in most of the departments on a five-day week during the summer months. Of course, there are some departments where that is not practicable. I believe, if we are going to have a five-day week for employees in some of the departments, it would be considered for every department where it can possibly be done. We all realize, of course, that in some departments—for example, where the care of patients is uppermost in the minds of those in charge—it cannot be done. But I believe individuals connected with any department, institutions or otherwise, doing ordinary work could and should be placed on a five-day week. Therefore, I have introduced this order asking the Mayor to consider the advisability of this plan.

The order was passed under suspension of the rule.

DISBURSING OF MILK TO W. P. A. WORKERS.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor request the Board of Overseers of Public Welfare to consider the advisability of disbursing milk without cost to all W. P. A. workers whose salaries do not exceed \$85 a month.

Coun. DOWD—Mr. President, we all know the plan that is adopted with reference to the milk situation to welfare cases, free of charge. But this does not apply to the W. P. A. workers. As a matter of fact, 50 per cent of the W. P. A. workers are getting \$15.75 per week. In most cases, they are a lot worse off than those on welfare; and, therefore, I am asking the Mayor to request the Board of Overseers of Public Welfare to consider the advisability of disbursing milk without cost to all W. P. A. workers whose salaries do not exceed \$85 a month. I believe they should have the same consideration that is given to those on welfare.

The order was passed under suspension of the rule.

CLOSING HOURS OF REGISTRY OF DEEDS.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That until otherwise ordered the office of the Registry of Deeds be closed on week days, except Saturdays, at four o'clock p. m. during the months of June, July and August.

Referred to the Executive Committee.

SAFETY ISLAND, NASHUA STREET.

Coun. FITZGERALD offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the installation of a safety island on Nashua street, opposite the Boston and Maine Railroad power house.

Passed under suspension of the rule.

CLOSING OF TYLER STREET BRANCH LIBRARY.

Coun. FITZGERALD offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, not to close the Tyler street branch library in Ward 3 until such time as a public hearing has been held on the matter.

Coun. FITZGERALD—Mr. President, the fact that the trustees of the Public Library are proposing to close not only the Tyler street branch library but other branch libraries in the city has

been brought to our attention. I believe the trustees, if this plan is carried out, are going to make a very serious mistake; that it would certainly be a blunder to close the Tyler street branch library. People living in that section of the city are a little different than those in other sections of Boston. The time has come when people of different nationalities have spread through that part of Boston, formerly the old South Cove district. In the old days it was inhabited by people of the old American stock. Later the Irish came in, and at the present time it is inhabited by Chinese, Syrians, Armenians and other races. We want the people of these different races to become educated in Americanism, and, having that in view, certainly the closing of this branch library will be, in my opinion, a very unfortunate thing. We all realize, of course, the necessity of economy in the City of Boston in these times, but I feel that this is a false economy. We cannot take action which will place people of such sections in an attitude of hostility to the government, while they are learning our ways. They are here, and should be treated as human beings and as people whom we expect, with their descendants, to become worthy citizens of this country. I believe there are plenty of ways to save money more wisely in other directions. We have, for example, one department that is spending \$14,000,000 a year. In four or five years its expenditure has gone up from \$75,000 to millions and millions. I believe, therefore, that a proper survey should be made in that department and that by that means a tremendous amount of money could be saved and many economies effected, which will make it unnecessary to try to economize in such dangerous ways as this. I believe, as the result of a really constructive survey of that department and its work much benefit to the city would result, important savings would be effected, and no worthy person would suffer in any way, shape or manner. The amount that the city will save by closing a few branch libraries is going to be very small, and it is going to result in serious deprivation and hardship to thousands of people in different sections of the city who have not in their homes the facilities that are provided for reading and study in these different branch libraries. There are places in this city where people are crowded three and four in a room, families with nine, ten or eleven children, who have no facilities for study or possible research work. I believe those people should be helped, rather than hindered, and that the places now available to them for study and for reading should not be closed. I was reading the other night of a number of people in this city to whom our libraries have afforded opportunities to rise in the world, and who would have had a great deal of difficulty in achieving their ambition if it were not for the opportunities thus afforded them. I have in mind at the moment, for instance, Daniel Lyne, over in South Boston, who, with the assistance that he was able to get from our libraries, was able to advance himself along educational lines, and who finally went to Harvard College, becoming one of the highly honored members of this community. Certainly, having in mind such men, and the assistance that the libraries have been to them in their progress upward, it seems clearly a crying shame and outrage that any such library in this city should be closed. There may be places where branch libraries are not properly functioning, and where no great harm would be done in closing them, although, I am frank to confess, I know of no such cases. But certainly to close a branch library, located as this Tyler street branch is located, in a section where it means so much to new races whom we are trying to influence along American lines is, in my opinion, decidedly wrong. I would have liked to have the chairman of the library trustees present here at our meeting today, but he sent a letter stating that he was unable to be present, and I have been unable to get in touch with the trustees so that we might have a duly accredited representative present. Of course, the trustees were here while we were considering the budget, and we had a pretty lively session with them, in which they expressed their views of the partial closing of branch libraries. But it was not until the budget was out of the way that we received word that four of the branch libraries were to be entirely closed. I represent here the section of Boston in which we have the Tyler street branch library, and, realizing what it would mean to the citizens of that section to close the library, I must certainly as representing the section, earnestly object.

Coun. FITZGERALD submitted the following for the record:

Chinese Branch,
Boston Young Men's Christian Association,
56 Tyler Street, Boston, Mass.,
May 24, 1938.

Whereas, It has reached our ears that the Tyler street branch of the Boston Public Library is to close July 1, 1938,

Whereas, This branch library has been of great service to the members of the Chinese Y. M. C. A. as well as to the residents of the Chinese community in Boston; and

Whereas, We believe that this branch library can and will continue to be of good service to the Chinese people in Boston if it remains open;

We, of the Chinese Y. M. C. A. do hereby join in voicing our protest against the closing of the Tyler street branch of the Boston Public Library.

D. TOONG,
Executive Secretary.

South End Joint Planning Committee,
20 Union Park, Boston,
May 24, 1938.

To the Members of the Boston City Council.

Gentlemen,—At a meeting of the South End Joint Planning Committee held at 20 Union Park, Monday, May 23, at 8 p. m., forty-one representatives of the organizations named on the letterhead voted unanimously to urge upon the City Council the importance of keeping the branch library at Tyler street open. This group of organizations understands the need of economy but they also understand the poverty of the part of the city in which the branch library is situated and the great need for the mental and spiritual health given by its presence in that section. Please make economies in sections where people are better able to pay for books or for car fare to get them and leave the branch library at Tyler street.

Very truly yours,
JANE R. MCCRADY, Chairman.

Coun. SHATTUCK—Mr. President, this is one of four branch libraries in different parts of the city which it is proposed to close, but I understand that it is proposed to maintain the Tyler street premises as a circulating library, that they plan to send out to the schools employees of the Library Department with such books as are requested, books that the students of the schools and the citizens of that section desire to borrow for reading. We all realize that the Mayor is making a brave attempt to pay the bills of the city, to meet the welfare demands, and to keep all employees on the city pay roll without reduction of salaries, and at the same time to keep the city solvent. It is impossible to do that unless we have economy, and we cannot have economy without giving up something. I understand, in the case of the particular branches that it is proposed to close, that they are in places where other branches not very far off are available; that the Tyler street branch, for instance, is within less than a mile of three different branches. I move that the matter be referred to the Executive committee.

Coun. ROSENBERG—Mr. President, I have a similar order here relating to a branch library in Dorchester, the Mt. Bowdoin branch. I appreciate the position that Councilor Fitzgerald and others whose sections are affected by the closing of certain branch libraries are in, and I would like to call to the attention of the members of the Council the serious hardship that will be caused by the closing of the Mt. Bowdoin branch library in Dorchester. That library has been in existence for the past fifty-two years, and is one of the most active libraries in the entire city. There are in Boston thirty-three branch libraries, and the Mt. Bowdoin branch stands twelfth in volume of business. I certainly believe the trustees of the Public Library will make a sad mistake if they attempt to close that particular branch library. I find from looking at the statistics that last year there were 129,000 books loaned from this particular branch. Hundreds of school children in the immediate vicinity have only this particular library to use for reading in connection with their studies and their notes. It offers them facilities that they would not otherwise have, coming, as many of them do, from crowded homes where they have no facilities, in the way of hooks or otherwise, for study or

research. As a matter of fact, I can see no important saving of money, anyway, by closing this branch, as I understand from the trustees that not one of the present employees is to be discharged or transferred to other quarters; and the closing of the library is certainly going to very much discommode and injure the school children of the district who have thus far enjoyed the facilities afforded by this branch for so long a period, as well as seriously interrupting steps that have been taken in recent years, particularly in times of unemployment such as these, to encourage adult education. Thousands of students and others have resorted to the library and secured the books they needed, and it seems that the facilities that have been thus afforded are now to come to an end. I do not believe that the trustees will be able to devise any method of delivering and collecting books upon request that will at all serve the needs of the children in the several schools or of the older people of the community. Under any arrangement the public cannot at times decide without recourse to the books themselves what they may need to carry on their studies or their research work, and I believe none of the small economies that may result can possibly compensate for the serious situation that will arise from curtailment of the use of the Mt. Bowdoin branch library. I certainly cannot understand why the trustees of the Boston Public Library now propose to close this library, having in mind the necessary service that it has given for so many years to the residents of the district. In fact, for many years the people of the section have been of the opinion that at the opportune time the Board of Trustees of the library would erect a permanent branch library to replace the present rented quarters, a building owned and operated by the City of Boston and supervised by the trustees. But in spite of the continued service the people have received from this Mt. Bowdoin branch for so many years, and in spite of the reasonable hope they had entertained that at the proper time a permanent branch library was to be built to replace the present rented quarters, we now understand that it is proposed not to curtail but to close the Mt. Bowdoin branch. The residents of the district had been under the impression that the library was merely going to be temporarily closed through the summer months. That was bad enough, although they would have made up their minds to make the best of it; but we now understand that the Mt. Bowdoin branch in Dorchester, the Tyler street, Roxbury Crossing and South Boston branches are to be definitely closed. I would make a suggestion in this connection, that, if the rental of the branch library quarters is the only consideration, the entire facilities of the branch be transferred to quarters at the Christopher Gibson School, Morse and Brinsley streets, in the immediate vicinity. I feel confident that the Department of School Buildings would be agreeable to this arrangement and would cooperate with the trustees in effecting this saving. I am in entire accord with the Mayor's economy program, but I do think it should not take the form of the infinitesimal saving that would be involved here, when against that saving the great hardship to the people of the district resulting from the proposed closing is borne in mind. This is a matter of tremendous importance to thousands of young and old people in the district. I have received hundreds of letters from which I would like to quote, except that I do not wish to trespass too much on the time of the body. Perhaps this quotation from a typical letter, which I have just received, will be sufficient to show the local feeling in this matter:

"This library, besides supplying a source of general information for our school youth, also provides books for pleasure reading. None of us are fortunate enough to possess books needed for everyday use. We are all high school students, and this is the only library which is near and convenient for us. When we learned that the library was to be closed at one o'clock on Saturday afternoon, we accepted it with great disappointment, but now to deprive us of the use of the library entirely is depriving us of an important factor in our education. Not only for us would it be impossible, but also for our younger brothers and sisters to walk three-quarters of an hour or more in the cold of the winter and the heat of the summer to the nearest library. The Mt. Bowdoin library has kept us for the past four years in contact with the best literature, as it was published from

time to time. We cannot afford to spend money in reading the cheap novels that lending libraries offer. We appeal to you as City Councilor to act in our behalf to keep the Mt. Bowdoin library open." It is undoubtedly true that it is much better for the children of the district to have access to the books supplied in the branch library at the present time, in the interest of the morals of the youth and otherwise, than to have to depend on the cheap novels that they would pick up in the ordinary commercial library. I trust therefore, that the trustees and the Mayor will cooperate to amend the present situation.

Coun. TAYLOR—Mr. President, I was present when the trustees of the library appeared before the Committee on Appropriations on the budget and answered the questions propounded to them in regard to proposed curtailment of service in the branch libraries of the city, in the interest of economy, but during that hearing the trustees did not say that they were going to absolutely shut down certain branch libraries. We now find, however, that the service to the youth of Boston and the adults is going to be seriously impaired by the carrying out of what I consider to be a foolish economy. We tread on dangerous ground when we try to restrict the education of our young. This is a matter that is seriously going to affect their future, and I cannot see how we are justified in saving a paltry few thousand dollars where it is going to injuriously affect the education and the future of our young people. I might say incidentally that I understand that the City of Boston is going to receive from the state nearly a million dollars, and I do not see why a portion of that million cannot be used for keeping up this library service. Certainly the closing of these branch libraries in our city is an unfair proposition as far as our youth are concerned, and it is also an injury to the adults in the districts concerned. We are not, by doing so, going to save any money to speak of. It is not going to reduce our tax rate 2 cents on the thousand, and I do not believe the Mayor will cooperate with the trustees in this plan. I wish to concur in what the previous speakers have said.

Coun. GEORGE A. MURRAY—Mr. President, I feel very strongly, as representing a South Boston district, that the branch library at the corner of Broadway and E street should not be closed. Its use has been for years of incalculable benefit to the young and the old in the district. I have been familiar with that district for some forty-odd years and I know how greatly the children and the older people of the section have appreciated the opportunities for study and reading afforded by that library. We have no other means of accommodating those who have been accommodated by the library. The branch is located at a suitable and convenient place for the people, and I am thoroughly convinced that if the Mayor looks into the matter he will realize the full significance of the closing of that branch. I was present when the Committee on Appropriations heard the trustees of the library upon their budget, and I recall distinctly that the only question that was brought up in connection with the branch libraries was their partial closing down, on Fridays and Saturdays during the summer, and not the absolute closing of any of the branch libraries in the city. That was not even suggested. While, of course, we objected to any curtailment of the service furnished by these branches we were led to believe that they would continue for most of the week, as they have for years, and that they would simply be closed at certain hours on Fridays and Saturdays, probably during the summer. I believe we as City Councilors are justified in calling upon the Mayor to take action in this matter, so as to continue to give to the youth of our city the opportunity that they have had in the past to get the help in their studies and otherwise that is afforded by a chance to consult the books in such a library. Many of them do not have a chance to study in their own homes, and naturally they do not have the facilities that are afforded by such libraries. It is necessary for them in connection with their work and their education to resort to such libraries, where they can have a reasonable degree of seclusion and the warmth afforded in our public buildings. If they are not to continue to have the opportunities in this respect that they have had in the past, they are going to be seriously handicapped in their education. Therefore, I think we are justified in South Boston and in other sections of the city, in calling upon the Mayor to intervene in this matter.

Coun. WILSON—Mr. President, I do not want to be too critical of the library trustees because I believe every department head in the city has had a very helpful sales talk from the present administration to the effect that he has got to cut down expenses, and apparently the Library Department have taken it a little more seriously than some departments of less importance that I might name. I read the other day that there are more book stores in Boston to the square mile than in any other section of the country. But we must bear in mind that many of our people cannot afford to buy books that they would like and that they have to depend upon our public library system. Not only is a valuable opportunity presented to those in our schools to supplement their school work through the libraries, but many who have left school and who still wish to carry on their education or their studies in different lines, connected with their work or otherwise, have availed themselves for generations of the opportunities afforded by our library system. To my mind, to take such a drastic step as to close our public libraries is as serious a matter as it would be to cut down our school system. Our Library Department ranks with our schools, police, fire and hospital departments, as, perhaps in many respects, the most important departments of the city. While I do not wish to open an old wound, it strikes me as a little inconsistent that in our effort to provide better home conditions, supposedly, for the poor of the City of Boston, we would consider canceling real estate taxation amounting to a quarter of a million dollars annually on Old Harbor Village and at the same time close down such important facilities for our people as branch libraries, which are certainly a very important adjunct to our schools. I personally am not much impressed with the cash and carry arrangement of supplying books by appointment, on the wagon delivery basis. To me a library is something more than a call station to obtain books. Even in the ward I represent there are homes in the poor districts where, if a person really desires to get peace and quiet, he must go to a library, and I do not believe that any cash and carry system for borrowing books can be a substitute for the reading rooms furnished by our Library Department in various parts of the city. So, while I do not intend to criticize the library trustees for taking what the Mayor has said more seriously than it has been taken by other departments, I personally believe that they have gone too far in this particular case. I believe the Mayor of Boston himself, having served on the School Committee, could well point out to the trustees that the closing of branch library facilities would be absolutely adverse to the work that is being carried on in the schools, the libraries being really an adjunct to the schools in the carrying on of educational and research work in our community.

Coun. DOWD—Mr. President, I realize, of course, that the twenty-two members of the Council are absolutely a unit on this proposition. I realize fully the problems confronting the Mayor in his efforts to obtain economy in the running of our city. However, in view of the fact that there is only \$24,000 or \$25,000 involved in the closing of these branch libraries, I want to make briefly simply this suggestion, that rather than close the branch libraries the trustees be requested to reduce the salaries of five or six of the very high salaried employees in the department, getting from \$6,000 to \$9,000 a year. If they are going to save money, let them do it in that way rather than by closing branch libraries which are so useful to our people.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. PETER A. MURRAY, for the Committee on Jitney Licenses, submitted the following:

1. Report on petition of Boston Elevated Railway (referred January 24) for license to operate motor vehicles between Brookline line at Washington avenue and Egleston square—recommending that leave be granted.

Coun. TAYLOR—Mr. President, I would like to say just a few words in regard to this report. I sincerely hope that the Council will vote to accept the recommendation and grant the license, because this proposed action will meet a crying need, not only for the Roxbury district but also for the

Jamaica Plain district. This will very much shorten the time of travel between the Brookline line and Eggleston square. Passengers can go from Eggleston square down Columbus avenue and Heath street to Brookline Village, taking perhaps five minutes, instead of taking a street car to Dudley street, and then going by the Allston line to Brookline Village, consuming from three quarters of an hour to an hour. It will mean a great saving of time, and I trust that the Council will vote for it.

The report was accepted and the license granted.
2. Report on petition of Boston Elevated Railway for license (referred March 21) to operate motor vehicles between City square and Chelsea line—recommending that leave be granted.

Coun. GALVIN—Mr. President, I sincerely trust that the members of the Council will grant this license. At that particular location in Charlestown, City square, there have been thirty-seven accidents, twenty-seven of them to pedestrians, within a short time, caused by lack of such facilities as will be afforded by the granting of this license. Also, the longshoremen of the district, in order to get down to the waterfront in the early morning, have to leave about 7 o'clock in the morning, at present. This will afford them proper accommodations. I trust that the Council will grant this license.

Report accepted; license granted.

3. Report on petition of Boston Elevated Railway (referred January 24) for license to operate motor vehicles between junction of Braintree and Wilton streets and Dudley street station—recommending that leave be granted.

Report accepted; license granted.

4. Report on petition of Boston Elevated Railway (referred May 24) to operate motor vehicles between Heath street and South Huntington avenue and Dudley street station—recommending that leave be granted.

Coun. CAREY—Mr. President, I was instrumental in forwarding that petition to the Council last fall. It so happens that there has never been any such service given to the people of the district so far as Ward 10 and a part of Ward 11 are concerned, as will be afforded if this license is granted. This means a great deal in the way of transportation facilities to those having homes in that section. Therefore, I trust that the license will be granted.

Report accepted; license granted on the usual conditions.

BRANCH LIBRARY AT FOREST HILLS.

Coun. PETER A. MURRAY offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to establish a branch library at Forest Hills, in the vicinity of Hyde Park avenue and Walk Hill street.

Coun. PETER A. MURRAY—Mr. President, I trust that something in this line can be done for the people of that section. The people of my district have been promised a branch library for twenty-five years, and it would now seem that the time is ripe to place it there. People in that section of my district have to walk two to three miles to get to a branch library. I think, therefore while such branch libraries are being closed in other parts of the city, this might be a good time to put one in my district.

The order was passed under suspension of the rule.

OVERHEAD PASSAGEWAY, EGLESTON SQUARE.

Coun. ENGLERT offered the following:
Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to provide for the installation of an overhead passageway at Eggleston square station with stairways leading to Washington street at Columbus avenue at a point between Atherton street and Columbus avenue on one side and on the opposite side at a point in front of the spa in order that the patrons of the Boston Elevated may be able to reach either side of Washington street without the necessity of crossing Columbus avenue which is a dangerous intersection.

Passed under suspension of the rule.

CLOSING OF SOUTH BOSTON BRANCH LIBRARY.

Coun. GEORGE A. MURRAY and KERRIGAN offered the following:

Ordered, That his Honor the Mayor be requested to immediately confer with the trustees of the Public Library to rescind their contemplated action of closing South Boston branch library.

Passed under suspension of the rule.

BUS LINE, BRIGHAM CIRCLE TO L STREET BATH HOUSE.

Coun. CAREY 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 for the summer season, between Brigham circle, Roxbury, and the L Street Bath House, South Boston, with a five-cent fare.

Passed under suspension of the rule.

BUS LINE, HYDE SQUARE TO L STREET BATH HOUSE.

Coun. CAREY 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 for the summer season, between Hyde square, Jamaica Plain, and the L Street Bath House, South Boston, with a five-cent fare.

Passed under suspension of the rule.

ADEQUATE LIGHTING, FENWAY ARCHWAY.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install adequate lighting facilities near the archway of the Fenway, at the corners of Westland avenue and Hemenway street, Ward 4.

Passed under suspension of the rule.

SIDEWALKS, WARREN AVENUE.

Coun. CHASE and SHATTUCK offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct an artificial stone sidewalk on both sides of Warren avenue, Wards 4 and 5, to replace the present brick sidewalk, said work to be done as a W. P. A. project.

Passed under suspension of the rule.

PLAYGROUND, EAST BOSTON.

Coun. IRWIN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to consider the advisability of establishing a playground for children on city-owned land at the corner of Londou and Decatur streets, East Boston, and taking immediate steps to develop said land for this purpose.

Passed under suspension of the rule.

LEAVE OF ABSENCE TO VETERANS OF SPANISH WAR.

Coun. GALVIN offered the following:

Ordered, That his Honor the Mayor be requested to grant leave of absence, without loss of pay, to all employees of the city who are veterans of the Spanish War, and who desire to attend the Department Encampment at Plymouth, Mass., on June 17, 18 and 19, 1938.

Passed under suspension of the rule.

SERVICE AT LADDER 16 FIRE HOUSE.

Coun. WILSON offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to reconsider the proposed discontinuance or reduction of service at the Ladder 16 fire house on River street, Dorchester.

Coun. WILSON—Mr. President, I have introduced this order because of the proposed discontinuance or reduction of service at the Ladder 16 fire house on River street, Dorchester. That house represents the only fire protection to that part of Ward 17 near the Neponset river, being the river end of the ward, and a section which is really to a certain extent shut off from the rest of Ward 17, and a mile and a half or two miles from Ward 18. So there are really no other adequate fire protection facilities there. It should be borne in mind also that there are six or seven important concerns in that locality, the Walter Baker mills and other factories, partly in Boston and partly on the Milton line. So I sincerely trust that the proposed discontinuance or reduction of service at the Ladder 16 fire house on River street will be reconsidered, as such action would mean serious removal of fire protection from that section.

The order was passed under suspension of the rule.

SENATE BILL 279.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby opposes the enactment of Senate Bill 279 and House Bill 1302, or similar legislation, now pending in the Massachusetts Legislature, which would relieve children of the responsibility of contributing to the support of their parents over sixty-five years of age.

Coun. WILSON—Mr. President, I believe this deals with a matter of interest to the city government of the City of Boston, the bill pending in the Legislature being no doubt inspired by a desire to make a resort to old age assistance easier. The members of the Council are, no doubt, familiar with the old age assistance act and know that if the children of old parents are themselves destitute, and testimony to that effect is presented, old age assistance may be availed of. But the result of this pending legislation that I have referred to in the resolution will be to change the law of this Commonwealth, a law that has been in existence for generations,—namely, the law which says that any boy or girl, whose parents have brought them up, watched over them, educated them and cared for them in every way, cannot, if they are possessed of reasonable means, when their father and mother are old and helpless quit them cold and get away with it. I believe, therefore, that we should oppose the enactment of such legislation.

Coun. TAYLOR—Mr. President, I don't think the Council ought to go on record as opposing the hills referred to, for this reason. While there is a statute on the books requiring children who are able to do so to assist their parents in their old age, a statute that should be enforced in every instance where it can be properly resorted to, and to violate which is a criminal offence, despite that statute I have had many instances brought to me of elderly people who are not being supported by their children, although they should be, by reason of the fact that the parents will not bring any complaints against them because they are their children, the old people preferring to suffer silently. So I say, in justice to the people who are not receiving the assistance that they should receive, for that reason, they should not be deprived of old age assistance. I will agree that the criminal law should be enforced in many instances, but as a matter of fact, as I say, in many cases parents will suffer rather than resort to it. In such cases, I do not believe obstacles should be placed in the way of the old people receiving the assistance they need. Therefore, I don't think that we should oppose the statute.

Coun. IRWIN—Mr. President, rather than oppose such a statute, I think we should favor it. There are not only cases such as Councilor Taylor has pointed out, but there are also cases where the children themselves are not in a position to support their parents. I have in mind a case myself where the old folks have two children, and where you might say that they should support their parents, but they themselves are getting a very small amount, hardly sufficient for their own

support. Besides, as Councilor Taylor says, the only redress of old folks under these circumstances is to go to court, and in most cases they will not do that. It may be that a son is a good son and would do what he could if possible, but he is getting hardly sufficient for his own support, and the parents refuse to go to court, which is their only redress. The old folks don't want to go to court, and therefore are deprived of old age assistance. As I understand it, in these cases the city gives one-sixth, the state two-sixths, and the Federal Government one half. I have had many instances called to my attention where a needy parent has been deprived of old age assistance, due to the fact that a son or daughter is not in a position to give to them the help they should have. I hope that we will not record ourselves against these hills.

Coun. WILSON—Mr. President, I would like to add just a word. The Welfare Board is not the last word in these matters. There is a Board of Appeal.

The resolution was referred to the Executive Committee.

RESURFACING OF WARNER STREET.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth pavement Warner street, Ward 14, under W. P. A. type of construction.

Passed under suspension of the rule.

CLOSING OF MT. BOWDOIN BRANCH LIBRARY.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to immediately confer with the trustees of the Public Library to rescind their contemplated action of closing the Mt. Bowdoin branch library on Washington street, Dorchester, and that no action be taken by the trustees in closing this branch until a public hearing is held.

Passed under suspension of the rule.

REMOVAL OF RAGWEED.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works and the Park Commissioner be requested, through his Honor the Mayor, to have every effort made to remove ragweed from the highways and parkways of Boston for protection of the health of the citizens of Boston, particularly for the relief of sufferers from hay fever, in order that we may have a sneezeless city during the summer months.

Passed under suspension of the rule.

USE OF LAND AS PLAYGROUND, JAMAICA PLAIN.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be, and hereby is, authorized, for a nominal fee, to grant a license, upon such conditions as he may consider advisable, to the Jamaica Plain Neighborhood House Association to use for the purposes of a playground for small children so much of the land of the City of Boston over the Stony Brook conduit as abuts on the northeasterly side of the property of said association located at 276 Amory street, Jamaica Plain.

Referred to the Executive Committee.

SIDEWALK ON WASHINGTON STREET, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a sidewalk on Washington street, between Murray Hill road and Linden street, Roslindale, said work to be done as a W. P. A. project.

Passed under suspension of the rule.

ACCEPTANCE OF TEMPLE PLACE,
WARD 20.

Coun. LYONS offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Temple place, Ward 20, as a public highway.

Passed under suspension of the rule.

TRAFFIC SIGNS, WARD 20.

Coun. LYONS offered the following:
Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install warning signs and reflectors at all intersections on Washington street, between the West Roxbury Parkway and Grove street, Ward 20.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 15 STREETS.

Coun. KELLY offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Fifield street, Ward 15, as a public highway.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Navillus terrace, Ward 15, as a public highway.

Severally passed under suspension of the rule.

ACCEPTANCE OF SHERIDAN STREET,
WARD 16.

Coun. FISH offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Sheridan street, Ward 16, as a public highway.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Daniel J. Sullivan and Thomas G. Dundon, to be reimbursed for amount of execution issued against them on account of their acts as operators of motor apparatus belonging to Fire Department, recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred nine dollars and ninety-eight cents (\$109.98) be allowed and paid to Daniel J. Sullivan and Thomas G. Dundon in reimbursement for amount of execution issued against them on account of their acts as operators of motor apparatus belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

2. Report on petition of John C. O'Brien (referred May 10) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to Fire Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred nine dollars and eighty-five cents (\$109.85) be allowed and paid to John C. O'Brien in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

ACCEPTANCE OF WARD 7 STREETS.

President KERRIGAN offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 7 as public highways.

Von Hillern street and Howe avenue.
Passed under suspension of the rule.

RESURFACING OF EAST SIXTH STREET,
WARD 7.

President KERRIGAN offered the following.
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface East Sixth street, from Thomas Park to H street, Ward 7, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RECESS.

On motion of Coun. AGNEW the Council voted at 3.58 p. m. to take a recess subject to the call of the Chair. The members reassembled at 4.12 p. m. and were called to order by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) transferring land in Haymarket square and Canal street from Hospital Department to Public Buildings Department—that same ought to pass.

Report accepted; said order passed.

2. Report on message of Mayor and order (referred today) transferring property on Cabot street, Elm street and Harrison avenue from Fire Department to Public Buildings Department—that same ought to pass.

Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) for sale of obsolete X-ray films by City Hospital—that same ought to pass.

Report accepted; said order passed.

4. Report on message of Mayor and order (referred today) transferring \$95,000 from Parkman Fund to Park Department for payment of salaries of permanent employees—that same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

5. Report on order (referred today) that Commissioner of Public Works grant license to Jamaica Plain Neighborhood House Association for use as playground of land over Stony Brook conduit abutting on northeasterly side of property of said association at 273 Amory street—that same ought to pass.

Report accepted; said order passed.

6. Report on order (referred today) authorizing office of Registry of Deeds to close on week days, except Saturdays, at 4 p. m., during months of June, July and August—that same ought to pass.

Report accepted; said order passed.

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

Patience A. Robertie, Brightelmstone Hall, June 13; Phyllis Warden, Eliot Hall, June 10; Kathryn I. Bryner, Y. W. C. A. Hall, June 15; Lillian Viles Wyman, Copley Theatre, May 27; Lillian Arden Chiampa, East Boston High School, June 20; Hazel Boone, Jordan Hall, June 9; Mildred C. Sacco, East Boston High School, May 28 and June 3; Stertz-Ruby Dance School, Plymouth Theatre, May 24; Gertrude Marshall, Temple Mishkan Tefila, June 9; James A. Ecker, Jordan Hall, May 28—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

8. Report on message of Mayor and order (referred today from Committee on Public Lands) abandoning easement on property of New York, New Haven & Hartford Railroad—recommending that same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

REPORT ON DEDHAM AND HYDE PARK
GAS BILL.

Coun. SHATTUCK, for the Special Committee, appointed to consider advisability of accepting the so-called Dedham and Hyde Park Gas Bill, submitted report recommending passage of the accompanying order, viz.:

Ordered, That chapter 292 of the Acts of 1937, as amended by chapter 15 of the Acts of 1938,

authorizing the City of Boston to acquire the Dedham and Hyde Park Gas and Electric Company, be, and hereby is, accepted.

Coun. Shattuck dissents from the foregoing report.

Coun. SHATTUCK—Mr. President, this act which it is proposed to accept is an act whereby the City of Boston can acquire the property of the Dedham and Hyde Park Gas Company in Hyde Park. A special committee was appointed, of which I am chairman, and the question of acceptance of the act was referred to that committee. The committee has reported in favor of accepting the act, with my dissent, and I wish to state my reasons for dissenting. Under the bill the first act of the city, through the Department of Public Works, would be to agree with the Boston Consolidated Gas Company on the value of the Hyde Park property of the Dedham and Hyde Park Company. If there is an agreement between the city and the Boston Consolidated Gas Company as to value, the Consolidated Gas Company has to pay a rental to the city based on that value so agreed upon; but not until after that does the city under the act proceed to acquire the property of the Dedham and Hyde Park Company. When the city proceeds by land taking to acquire the property of the Dedham and Hyde Park Company, nobody knows what the city may have to pay. It may be vastly in excess of the reasonable value agreed upon between the Department of Public Works and the Boston Consolidated Gas Company, and if it is in excess the matter may have to be decided by court. In that case it may not only be tried in Suffolk County, but also may be tried in Norfolk County and Middlesex County, and we all realize what may happen when such a matter goes into one of these outside counties. Now, gentlemen, we have all had experience with paying deficits on the Elevated and on the East Boston tunnel, and I don't believe we want any more of that sort of thing. We know that in these cases the city is apt to get stung and that the citizens, as a whole, will have to pay deficits on this property. I think, therefore, that we ought to act definitely and kill the bill. That is the reason for my dissent, and I hope the order will not pass.

Coun. NORTON—Mr. President, the question before us is whether this act should or should not be accepted. It was passed by the last Council and Mayor Mansfield decided to do nothing about it. So the Legislature gave the act another year to live, and we have had the matter before the Council for several months. If Mayor Tobin wishes one half of a ward in this city to have the same gas rates as the other twenty-one and a half wards, he will favor the proposed action. Of course, if we pass this order, the Mayor can still act as Mayor Mansfield did. All we are doing, however, is making it possible for the Mayor of Boston to enter into negotiations with these companies, and I believe that the present Mayor of Boston will see that the rights of the city are properly protected.

The question came on the passage of the order. Coun. Shattuck asked for a roll call.

The order was passed, yeas 11, nays 3:

Yeas—Coun. Carey, Englert, Fish, Hutchinson, Kelly, Kerrigan, Lyons, George A. Murray, Norton, Sullivan—11.

Nays—Coun. Chase, Galvin, Shattuck—3.

Coun. NORTON—Mr. President, I ask unanimous consent to make a statement. I want to thank every one of the councilors who voted for this order, and also to state that I appreciate the position of those who opposed it.

ACCEPTANCE OF RICKER STREET.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Ricker street, Ward 20, as a public highway.

Passed under suspension of the rule.

EXTENSION OF FIVE-CENT CAR ZONES.

Coun. SULLIVAN and AGNEW offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to extend the five-cent fare zone on the Brighton-Newton-Watertown and Commonwealth avenue lines to the entrance to the Kenmore square subway.

Passed under suspension of the rule.

WIDENING OF PARSONS STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the widening of Parsons street, at the point where it runs under the tracks of the Boston & Albany Railroad near North Beacon street, Brighton, the work to be done as a W. P. A. project.

Passed under suspension of the rule.

THE NEXT MEETING.

On motion of Coun. SHATTUCK it was voted that when the Council adjourn it be to meet on Monday, June 6, 1938, at 3 p. m.

Adjourned, on motion of Coun. SHATTUCK, at 4.25 p. m., to meet on Monday, June 6, 1938 at 3 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 6, 1938.

Regular meeting of City Council in Faneuil Hall at 3 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd, Irwin, Norton.

JURORS DRAWN.

Twenty-two grand jurors were drawn under the law (Coun. SHATTUCK presiding at the box in the absence of the Mayor), to appear July 5.

Twenty-two grand jurors, Superior Criminal Court, to appear July 5, 1938:

Frank A. Moran, Ward 1; Carlton E. Atwood, Ward 4; James F. Brown, Ward 4; Thomas L. Conners, Ward 6; William R. Feist, Ward 7; Harry E. Kane, Ward 9; William A. MacKay, Ward 9; William M. McKenna, Ward 9; Jean J. Marvan, Ward 11; William J. Holden, Ward 12; Samuel K. Weiner, Ward 12; Michael J. Cogan, Ward 13; John D. Hislop, Ward 13; James H. Norton, Ward 16; Edward A. Lennon, Ward 17; Charles J. Tenney, Ward 19; Paul V. Eldridge, Ward 20; Thomas K. Kenny, Ward 20; Godfrey Parsons, Ward 21; Robert C. Baird, Ward 22; Albert Beckwith, Ward 22; Stanley C. Eykel, Ward 22.

Fifty-seven traverse jurors for the Superior Criminal Court and thirty-one for the Superior Civil Court were drawn, to appear July 5 (Coun. TAYLOR presiding at the box in the absence of the Mayor), as follows:

Fifty-seven traverse jurors, Superior Criminal Court, to appear July 5, 1938:

Oscar T. Anderson, Ward 1; Charles J. Compiano, Ward 1; James F. Hickey, Ward 1; William A. Pitman, Ward 1; Clarence Courtney, Ward 2; Clarence H. Barnes, Ward 4; James G. Maloof, Ward 8; William E. Purnell, Ward 8; Francis W. Nyhan, Ward 9; Albert Rodd, Ward 9; Charles Foley, Ward 10; Peter L. Kenney, Ward 10; John W. Warren, Ward 10; J. Howard Grisdale, Ward 11; John M. Levis, Ward 11; Walter E. Beech, Ward 12; William Cooper, Ward 12; Arthur E. Landers, Ward 12; James A. Rosborough, Ward 12; Robert Smith, Ward 12; Alfred D. DeForge, Ward 13; Martin T. Larson, Ward 13; Thomas F. Thompson, Ward 13; Samuel J. Honigsberg, Ward 14; Max Swartz, Ward 14; Edmund L. Finn, Ward 16; John J. Lyons, Ward 16; Thomas J. Sheehan, Ward 16; Henry G. Hayes, Ward 17; Patrick J. Kelly, Ward 17; John J. Carew, Ward 18; Charles F. Clinton, Ward 18; Charles J. Cummings, Ward 18; Alfred Hayes, Ward 18; August May, Ward 18; John Norton, Ward 18; Andrew T. Thompson, Ward 18; William F. Hoehle, Ward 19; Daniel Dougald MacLellan, Ward 19; Harold J. Miner, Ward 19; Gordon L. Story, Ward 19; James Brown, Ward 20; David R. Gillies, Ward 20; Peter G. Loomis, Ward 20; John J. MacIsaac, Ward 20; James E. Walsh, Ward 20; George D. Breed, Ward 21; Robert S. Carroll, Ward 21; William W. Russell, Ward 21; Carlton L. Seaman, Ward 21; George S. Bowman, Ward 22; Thomas Carty, Ward 22; Thomas Casey, Ward 22; John A. Collins, Ward 22; Joseph B. Crowley, Ward 22; Daniel J. Holmes, Ward 22; Matthew W. Mullen, Ward 22.

Thirty-one traverse jurors, Superior Civil Court, to appear July 5, 1938:

Joseph J. Burke, Jr., Ward 1; Thomas M. Garrity, Ward 1; Edward P. Greene, Ward 1; Edward Odd Keul, Ward 2; George A. Lang, Ward 2; Charles E. Savage, Ward 2; Andrew F. Hartung, Ward 6; Frank J. Kenney, Ward 6; William M. Rae, Ward 6; Lawrence John White, Ward 6; Joseph P. Dowling, Ward 7; Sydney M. Adolph, Ward 8; John J. Dunne, Ward 8; Wilson E. Joseph, Ward 9; Philip H. Patenaude, Ward 9; Harry M. Sylvester, Ward 10; John Stetson, Ward 12; Walter I. Kennedy, Ward 13; Francis X.

McNamara, Ward 13; James T. McQuaid, Ward 13; Morris Kirschbaum, Ward 14; Joseph A. Sullivan, Ward 16; Walter R. Crellen, Ward 18; Thomas James Gregg, Ward 18; William L. Hoar, Ward 18; Joseph M. Killilea, Ward 18; David B. Simpson, Jr., Ward 18; Henry C. Gottsealk, Ward 19; Harvey P. Dearborn, Ward 20; Theodore Robinson, Ward 20; John F. Beatty, Ward 21.

EXECUTIVE APPOINTMENTS.

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

Weigher of Goods: Warren F. Flynn, 656 Bennington street, East Boston, Mass.

Constable, for term ending April 30, 1939, to serve civil process upon the filing of bond: Harry Greenbaum, 71 Goodale road, Dorchester, Mass. Severally laid over a week under the law.

VETO OF DEDHAM AND HYDE PARK GAS COMPANY PROPERTY PURCHASE.

The following was received:

City of Boston,
Office of the Mayor, June 6, 1938.

To the City Council.

Gentlemen,—I return herewith without my signature and disapproved the order of your Honorable Body accepting chapter 292 of the Acts of 1937 as amended by chapter 15 of the Acts of 1938, concerning the acquisition by the City of Boston of the property of the Dedham and Hyde Park Gas and Electric Light Company in the Hyde Park district of the city.

The intention of the proponents of the act was to obtain lower gas rates for the people of the Hyde Park district, and while I have every sympathy with that object, in my opinion the method proposed would not only fail to accomplish the desired result but is also open to other serious objections.

The act provides for the taking by the city of the property of the Dedham and Hyde Park Company in the city limits and the leasing of it to the Boston Consolidated Gas Company at an annual rental of not less than four and one half per cent of a valuation to be agreed upon. The representative of the Dedham Company has estimated the physical value of the property at \$528,000, and undoubtedly a substantial amount in addition would be demanded for severance and good will. The rental requirements might be anywhere between \$27,000 and \$45,000 a year. The gas company is under no compulsion to take a lease of the property or, if it does, to reduce the price of gas to the Hyde Park people. In addition, if the gas company should rent the property for a term of five or ten years and at the expiration of the term refuse to renew, the city is left with a half million or a million dollar gas distribution plant on its lands and would either be forced into the gas manufacturing business or be at the mercy of the gas companies for the purchase of gas.

Of course, it is argued that the acceptance of the act is merely the first step and that if the city and the gas company do not come to an agreement there is no harm done, but the fact remains that if this first step is taken, the people of Hyde Park will think that lower gas rates are assured them.

I am not willing to deceive the people of Hyde Park or to take the chance, in our present financial condition, of putting the City of Boston in the gas business and accordingly disapprove the order.

I have instructed the Corporation Counsel to make a thorough investigation of the Hyde Park gas rates and hope that the city may be able to take some action that will afford a more reasonable expectation of reducing them.

Respectfully,
MAURICE J. TOBIN, Mayor.

Placed on file.

RAILS AND GUARDS ON BRIDGES.

The following was received:

City of Boston,
Office of the Mayor, June 4, 1938

To the City Council.

Gentlemen,—I transmit herewith a letter from the Division Engineer of the Bridge and Ferry Division relative to your order of May 10, 1938.

concerning the rails and guards on the various bridges of the City of Boston being inspected.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 3, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Replying to your letter of May 26, 1938, with attached copy of order of the City Council, relative to elimination of dangerous conditions on the various bridges of the City of Boston, would say that this matter will be given every consideration by the Special Committee appointed by his Honor the Mayor, for "Recommendations and improvement which will tend to eliminate possible hazards that now exist on bridges."

Yours very truly,
THOMAS H. SEXTON,
Division Engineer.

Placed on file.

SERVICE AT LADDER 16 FIREHOUSE, DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, June 4, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Fire Commissioner relative to your order of May 24, 1938, concerning the reconsideration of the proposed discontinuance or reduction of service at the Ladder 16 fire house on River street, Dorchester.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, June 1, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am returning herewith the following order which was passed by the City Council on May 24, 1938:

"Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to reconsider the proposed discontinuance or reduction of service at the Ladder 16 fire house on River street, Dorchester.

In City Council May 24, 1938, Passed."
In conformity with the general relocation program of our apparatus designed to increase protection in all parts of Boston, and at the same time to effect desirable economies, Ladder 6, which we believe was meant instead of Ladder 16, was today transferred from Dorchester Lower Mills to Babson street, near Mattapan square, at Engine House 19. Preceding this transfer a committee representing the Baker Mills and other interested persons, headed by the editor of the *Lower Mills Broadcast*, visited this office and were satisfied as to the details of our transfer of apparatus. As a result of the relocation of apparatus in this section, District 14, comprising the entire lower Dorchester area, receives better protection and response to first alarms in Milton is reduced practically 100 per cent.

In view of the fact that the largest taxpayers in the Lower Mills section are satisfied with the change, it would not seem that reconsideration is necessary. However, if it seems from actual operation that the change is not advantageous to all concerned we are always free to return to the original location since the original quarters are not to be abandoned but merely closed.

Three ladder companies will respond to an alarm from the Baker Mills where formerly two responded; not only that, but one of the ladders will be of aerial type, which has not been available previously.

Very truly yours,
WM. ARTHUR REILLY,
Fire Commissioner.

Placed on file.

RESURFACING OF WARD 14 STREETS.

The following was received:

City of Boston,
Office of the Mayor, June 6, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your

order of May 10, 1938, concerning the resurfacing of Rosseter, Bradshaw and Warner streets, Ward 14.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 2, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return orders of the City Council requesting the resurfacing of Rosseter, Bradshaw and Warner streets, Ward 14, and I report that these three streets are on a W. P. A. project which is being submitted for approval, and upon receipt of the necessary approval, arrangements will be made for carrying out this construction during the present year.

Respectfully yours,
E. W. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING BEECH STREET, WARD 20.

The following was received:

City of Boston,
Office of the Mayor, June 6, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 10, 1938, concerning the resurfacing of Beech street, from Washington street to the West Roxbury Parkway, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 2, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return orders of the City Council requesting that Beech street, Ward 20, from Washington street to the West Roxbury Parkway, be built under the W. P. A. form of construction, and also that sidewalks be installed, and I respectfully report that this street is in a project being submitted for approval.

Respectfully yours,
E. W. RICHARDSON,
Commissioner of Public Works.

Placed on file.

ARC LIGHT, RONAN PARK.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 4, 1938, concerning the installation of an arc light at the corner of Marie street and Mt. Ida road, at the entrance to Ronan park, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of April 4, requesting the installation of an arc light at the corner of Marie street and Mt. Ida road, at the entrance to Ronan park, Ward 15.

I regret to report that it will not be possible to comply with this request at the present time, in view of the fact that this department is trying its best to reduce the cost of street lighting throughout the city in order to remain within the budget appropriation for the current year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

REPLACING OF GAS LAMPS, WARD 13.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your

your order of January 24, 1938, concerning the replacing of all gas lamps now in use in Ward 13 with electric lights.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of January 24, requesting the replacement of all gas lamps now in use in Ward 13 with electric lights.

I regret to report that it will not be possible to comply with this request at the present time, in view of the fact that this department is trying its best to reduce the cost of street lighting throughout the city in order to remain within the budget appropriation for the current year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

ARC LIGHT, OLNEY AND RICHFIELD STREETS.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of March 28, 1938, concerning the installation of an electric arc light at the corner of Olney and Richfield streets, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of March 28, requesting the installation of an electric arc light at the corner of Olney and Richfield streets, Ward 15.

I regret to report that it will not be possible to comply with this request at the present time, in view of the fact that this department is trying its best to reduce the cost of street lighting throughout the city in order to remain within the budget appropriation for the current year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

ARC LIGHTS, HOLTON STREET.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of April 25, 1938, concerning the installation of arc lights on Holton street, in front of St. Anthony's Church, Allston, on that part of Holton street between Everett and Antwerp streets, and on Brooks street, from Faneuil street to the Brooks Street Congregational Church.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of April 25, requesting the installation of arc lights on Holton street, in front of St. Anthony's Church, Allston, on that part of Holton street, between Everett and Antwerp streets, and on Brooks street, from Faneuil street to the Brooks Street Congregational Church.

I regret to report that it will not be possible to comply with this request at the present time, in view of the fact that this department is trying its best to reduce the cost of street lighting through-

out the city in order to remain within the budget appropriation for the current year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

REPLACING GAS LAMPS, ALLEGHANY STREET, WARD 19.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Commissioner of Public Works relative to your order of April 11, 1938, concerning the replacing of the present gas lamps on Alleghany street, Ward 10, with modern electric lights.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, May 26, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council passed at its meeting of April 11, requesting the replacement of the present gas lamps on Alleghany street, Ward 10, with modern electric lights.

I regret to report that it will not be possible to comply with this request at the present time, in view of the fact that this department is trying its best to reduce the cost of street lighting throughout the city in order to remain within the budget appropriation for the current year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

DWELLINGS UNFIT FOR HABITATION.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner, together with the information you requested in your order of April 13, 1938, relative to the making of an examination, survey and report with reference to dwelling structures in Boston listed by the City Planning Board in its 1935 Real Estate Inventory as unfit and unsafe for habitation.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, May 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Complying with instructions contained in your communication to me, dated April 18, 1938, with attached attested copy of order from the City Council, sponsored by Councilor Wilson, which reads, in part: "Ordered, That the Health Commissioner and Building Commissioner be requested, through his Honor the Mayor, to make an examination, survey and report with reference to dwelling structures, etc.," there is hereby listed in the attached sheets 438 structures found to be unfit for occupancy or habitation or structurally unsafe. This list is divided into two parts:

Part I, entitled "Structures Unfit for Occupancy or Habitation but Structurally Safe," totaling 315 structures; and

Part II, entitled "Structures Unfit for Occupancy or Habitation, Structurally Unsafe—Should be Razed," totaling 123 structures.

Also attached are copies of the following letters:

1. Letter of April 20, addressed to Mr. Frederic H. Fay, Chairman, City Planning Board.
2. Letter of April 21, reply from the City Planning Board.
3. Letter of April 21, addressed to you.
4. Letter of April 25, addressed to you.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

City of Boston,
Building Department, April 20, 1938.
Mr. Frederic H. Fay,
Chairman, City Planning Board.

Dear Sir,—That we may carry out an order passed by the City Council on April 13, 1938, requesting an extensive survey and report with reference to dwelling structures in Boston listed by the Planning Board in its 1935 Real Estate Inventory and unsafe for habitation we request that you furnish us with such list establishing locations, street and numbers, of the 1,509 dwelling structures or 3,912 dwelling units referred to.

I would appreciate your prompt attention to this matter.

Very truly yours,
JAMES H. MOONEY,
Building Commissioner.

City of Boston,
Planning Board, April 21, 1938.
Mr. James H. Mooney,
Building Commissioner.

Dear Sir,—In reply to your letter of April 20 to Mr. Fay, I wish to inform you that this department will be glad to put at your disposal the material in the Real Property Inventory referred to in the City Council order of April 13.

As I explained to your secretary over the telephone, people interviewed in connection with this inventory were assured that all information would be kept strictly private and not released in such a way that it could be connected with individual properties.

This information is available only on the original enumeration schedules, of which there are some 5,000 sheets. I will be glad to make available space in our W. P. A. Project office in South Boston where these schedules may be inspected and the information copied.

I regret that it is impossible, due to lack of personnel, to do this tabulation ourselves. If you will inform me a day or two before you are ready to undertake this work it will aid me in putting the necessary facilities at your disposal.

I am forwarding to the Health Department the above information in reply to a request similar to your own.

Yours very truly,
FRANK H. MALLEY,
Acting Secretary.

City of Boston,
Building Department, April 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Your communications of April 13 and 18, subject of which is the City Council order dated April 13 concerning the enforcing of the law with reference to condemnation and demolition of dwellings in Boston now unsafe and unfit for habitation, are being given immediate consideration.

However, I advise you that considerable delay may be occasioned before the instructions contained in said order can be consummated. I have requested the Planning Board, to whom the order refers, to furnish me with the locations of the 1,509 dwelling structures catalogued. I advise you that upon receipt of the said list immediate steps will be taken to fulfill the requirements of the order. Also I might state that it is my intention to supplement said list with current information obtained by members of this department.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

City of Boston,
Building Department, April 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.
Subject: City Council order of April 13, 1938,
Examination, Survey and Report of Dwellings,
etc.

Dear Sir,—Supplementing my letter to you dated April 21, 1938, relative to the subject noted above, please be advised that receipt of a letter from the City Planning Board, copy attached, discloses the fact that the exact information stated and requested by the said City Council order can be obtained only by perusing and copying at the City Planning Board's offices, information from some 5,000 original sheets, there on file. To obtain such information with the limited clerical force at my command is practically impossible.

However, I am certain that what I believe to be the intent of the order can be accomplished by making a survey of the entire city, by districts, and recording and reporting to you the location of every dwelling unfit for habitation, due to structural conditions, and, consequently, all inspectors in my department have been directed to examine, survey and report their findings in their respective districts forthwith.

I believe such procedure not to be contrary to the requirements of the order and will proceed, as described above, unless I receive other instructions from you.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

Placed on file.

CONDEMNATION OF UNFIT DWELLINGS.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner together with the information requested in your order of April 13, 1938, concerning the enforcing of the law with reference to condemnation and demolition of dwellings in Boston now unsafe or unfit for habitation.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, May 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Complying with instructions contained in your communication to me, dated April 13, 1938, with attached attested copy of City Council order, sponsored by Councilor Wilson, which reads, in part: "Ordered, That the Building Commissioner be requested, through his Honor the Mayor, to enforce the law with reference to condemnation and demolition of dwellings in Boston now unsafe or unfit for habitation, etc." I inform you that the law referred to is being enforced and that, periodically, structures are being condemned and demolished as their conditions necessitate, either through contracts let by this department or as indicated by permits issued to private contractors for razing properties.

In order that the City Council may be conversant with the number of structures now unsafe or unfit for habitation and that they may anticipate the amount of work involved in razing such structures, I attach two lists cataloguing the structures by location and description, namely:

Part I, entitled "Structures Unfit for Occupancy or Habitation but Structurally Safe," totaling 315 structures; and

Part II, entitled "Structures Unfit for Occupancy or Habitation, Structurally Unsafe—Should be Razed," totaling 123 structures.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

Placed on file.

RAZING OF BUILDINGS.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner, together with the information requested in your order of May 2, 1938, concerning the list of buildings which are to be razed under the supervision of his department.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, May 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Complying with instructions contained in your communication to me, dated May 5, 1938, with attached attested copy of City Council order, sponsored by Councilor Taylor, which reads, in part: "Ordered, That the Building Commissioner be requested, through his Honor the Mayor, to furnish the City Council with a

list of the buildings which are to be razed under the supervision of his department, etc.," I submit to you the following data:

I. A list of structures unfit for occupancy or habitation but structurally safe, which denotes, by wards, streets and numbers, and remarks, the conditions of the structures catalogued.

II. A list of structures unfit for occupancy or habitation, structurally unsafe, which should be razed.

The attached lists, to the best of my knowledge, include all structures in the category referred to by Councilor Taylor which would normally be razed under the supervision of this department but not at this department's expense, inasmuch as it is my policy to have condemned and dilapidated buildings razed at the expense and by the respective owners, and only in emergencies do we take the initiative and award contracts.

Respectfully yours,
 JAMES H. MOONEY,
 Building Commissioner.

Placed on file.

LIGHTING NEAR ARCHWAY, FENWAY.

The following was received:

City of Boston,
 Office of the Mayor, June 4, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 24, 1938, concerning the installation of adequate lighting facilities near the archway of the Fenway, at the corners of Westland avenue and Hemenway street, Ward 4.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, June 2, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.

Dear Sir,—I have received order of the City Council as passed on May 24 requesting that the Commissioner of Public Works be requested to install adequate lighting facilities near the archway of the Fenway, at the corners of Westland avenue and Hemenway street, Ward 4, but regret that this department cannot comply, as no available funds are present for any additional lights at this time.

Respectfully yours,
 E. M. RICHARDSON,
 Commissioner of Public Works.

Placed on file.

TRANSFER WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
 Office of the Mayor, June 6, 1938.
 To the City Council.

Gentlemen,—The attached request for transfer within departmental appropriations has been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
 MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Boston Traffic Commission:

From the appropriation for H, Relief Projects, \$2,500; to the appropriation for C, Equipment, \$850; D, Supplies, \$150; E, Materials, \$1,500.

Referred to Executive Committee.

APPROVAL OF ISSUE OF \$3,000,000.

The following was received:

City of Boston,
 Office of the Mayor, June 6, 1938.
 To the City Council.

Gentlemen,—During 1937 temporary notes totaling \$23,000,000 were issued in anticipation of the collection during 1938 of taxes assessed in 1937

and prior years. Judging from the experience of the last five years it may reasonably be anticipated that collections of prior year's taxes during 1938 will not exceed \$10,000,000. To offset the spread between anticipated collections and the amount of the carry-over of temporary notes it was determined early in the present year to fund \$7,000,000 of uncollectible taxes carried as assets among the accounts of the city and to borrow approximately \$6,000,000 against tax titles resulting from the sale of delinquent tax property.

The funding portion of this program has already been carried out. Within the past week action has been taken which will result in a substantial amount of tax titles being acquired by the city. Under the provisions of chapter 235 of the Acts of 1938 (the so-called Funding Act) the city may borrow from the Commonwealth against these tax titles for the redemption of outstanding temporary loans. A loan of this character in the sum of \$3,000,000 will be due on the 15th day of July. In order that the necessary authority may be available to utilize tax titles in the possession of the city to meet this maturing revenue loan, I submit herewith an order providing for the borrowing of \$3,000,000 from the Commonwealth against tax titles, the proceeds to be utilized to redeem revenue notes maturing on the 15th day of next month. I respectfully recommend adoption of this order by your Honorable Body.

Respectfully,
 MAURICE J. TOBIN, Mayor.

Ordered, That under the provisions of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, the City Treasurer be authorized to obtain the approval of the Emergency Finance Board to the issuance of \$3,000,000 in notes, bonds or certificates of indebtedness of the city, said notes, bonds or certificates to be sold at their face value to the Commonwealth and the proceeds be, and hereby are, appropriated for the purpose of meeting outstanding revenue loans.

Referred to Executive Committee.

WARNING SIGNS, WASHINGTON STREET, WARD 20.

The following was received:

City of Boston,
 Office of the Mayor, June 3, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of May 24, 1938, concerning the installation of warning signs and reflectors at all intersections on Washington street, between the West Roxbury Parkway and Grove street, Ward 20.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Traffic Commission, June 2, 1938.
 Hon. Maurice J. Tobin,
 Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated May 24, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install warning signs and reflectors at all intersections on Washington street, between the West Roxbury Parkway and Grove street, Ward 20.

Washington street, West Roxbury, from West Roxbury Parkway to Grove street, is a state highway and is under the jurisdiction of the Massachusetts Department of Public Works.

Requests for warning signs in this area should be directed to that department.

Respectfully yours,
 WILLIAM P. HICKEY, Commissioner.
 Placed on file.

SAFETY ISLAND, NASHUA STREET.

The following was received:

City of Boston,
 Office of the Mayor, June 6, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 24, 1938, concerning the installa-

tion of a safety island on Nashua street, opposite the Boston & Maine Railroad powerhouse.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 3, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council requesting that the Commissioner of Public Works arrange for the installation of a safety island on Nashua street, opposite the Boston & Maine Railroad powerhouse.

Recently it has been the custom, in connection with requests for safety islands, to refer the matter to the Boston Traffic Commission for consideration as to the advisability of carrying out the request. I therefore recommend that this matter be referred first to the Traffic Commission, for consideration, and if the construction of such an island appears to be advisable, and if the funds are available, this department could then proceed with the construction.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

RESURFACING EAST SIXTH STREET, WARD 7.

The following was received:

City of Boston,
Office of the Mayor, June 6, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Commissioner of Public Works relative to your order of May 24, 1938, concerning the resurfacing of East Sixth street, from Thomas park to H street, Ward 7.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 2, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In connection with the attached order of the City Council requesting that East Sixth street, Ward 7, from Thomas park to H street be resurfaced under the W. P. A. type of construction, you are respectfully informed that this street is on a W. P. A. project, upon which we expect shortly to receive approval so that arrangements may be made for beginning the work.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Coca-Cola Bottling Company, for compensation for damage to truck by city truck.

Milly Fraser, for compensation for damage to coat caused by refuse can at Summer and Hawley streets.

Anthony Gioeobbe, for compensation for injuries caused by an alleged defect in Huntington avenue.

Mildred C. Griffin, for compensation for damage to car caused by an alleged defect at Glencoe and Saybrook streets.

Jane A. Hanrahan, for compensation for damage to property at 2256 Centre street, caused by city truck.

Mrs. George Hatch, for compensation for damage to car by city truck.

Ernest F. Hoeft, for compensation for damage to car by city truck.

Frank T. Howard, for compensation for damage to car by police car.

Conrad Langer, for compensation for injuries caused by fire engine.

James A. and Agnes S. Leverone, for compensation for damage to property at 294 Cornell street, caused by change of grade of street.

Eva Litinsky, for compensation for injuries caused by an alleged defect at Wilton and Cambridge streets.

Vincent J. Miller, to be reimbursed for execution issued against him.

Elizabeth Murphy, for compensation for injuries caused by an alleged defect at 26 Alteresko avenue.

Mrs. H. G. Polk, for compensation for injuries caused by an alleged defect at 229 Poplar street.

David Rosen, for refund on Sunday license and milk license.

A. Arthur Rosse, for compensation for damage to car caused by an alleged defect at 293 Huntington avenue.

Trusiana Scire, for compensation for injuries caused by an alleged defect in South Ferry.

Jenny Shaevel, for refund on building permit.

Jacob Witty, for refund on dog license.

Executive.

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

Lester P. Gould, Whiton Hall, June 14.

Josette P. Curren, Current Events Hall, June 7.

Marie Kehoe, Jordan Hall, June 10.

Kay A. McDermott, Jordan Hall, June 2.

Mary E. Ring, Brighthouse Hall, June 15.

Edna V. Sheehan, Greenwood Community House, June 21.

Ernest Weidner, South Boston Municipal Building, June 3.

Lavinia A. Hogan, Jordan Hall, June 3.

Ursula M. Loughran, Hotel Somerset, June 2.

ABSENCE OF MAYOR FROM CITY.

Notice was received from the Mayor of his absence from the city from May 30 to June 2, 1938.
Placed on file.

APPROVAL OF LOAN.

Notice was received from Emergency Finance Board on vote passed May 27, 1938, approving borrowing by City Treasurer of \$3,100,000 under authority of chapter 58 of Acts of 1938, proceeds to be used as follows: Relief, \$1,560,000; W. P. A., \$1,540,000. Term of loan fixed at not more than ten years.

Placed on file.

APPOINTMENT OF CHARLES J. FOX.

Notice was received of the appointment by the Mayor of Charles J. Fox, of 3 Carmel street, Roxbury, to be City Auditor, for the term ending April 30, 1942.

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.:

Thomas Cannizarro, Louis Goldberg, Anthony Luongo, John A. May, John T. McGovern, Timothy J. McInerney, William T. Rosengarten, Jacob E. Scharnk, Joseph Simansky, Leon Small, Paul Stancato, Harry A. Webber, Louis Yacker.

MINORS' LICENSES.

Applications were received for licenses for twenty-four newsboys and nine bootblacks. Licenses granted under the usual conditions.

CONFIRMATION OF APPOINTMENTS.

Coun. AGNEW called up, under unfinished business, Nos. 2 and 3 on the calendar, viz.:

2. Action on appointments submitted by the Mayor May 24, 1938, of John L. Murray, Peter E. Rasmick, Richard J. Cronin, Aubrey B. Lyons, to be Constables with authority to serve civil process upon filing bonds.

3. Action on appointments submitted by the Mayor May 24, 1938, of William J. Barrett and C. D. Black, to be Weighers of Goods; and Catherine

A. McFarland, Maurice J. Gallivan and L. C. Mullin, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Sullivan and Galvin. Whole number of ballots 16, yes 16, and the appointments were confirmed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Joseph F. Richardson (referred May 24) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Sanitary Division of Public Works Department—recommending passage of the accompanying order, viz.:

Ordered, That the sum of twelve dollars (\$12) be allowed and paid to Joseph F. Richardson in reimbursement for the amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Sanitary Division of the Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

2. Report on petition of John P. Harnett (referred May 24) to be reimbursed for the amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Sanitary Division of Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred dollars (\$100) be allowed and paid to John P. Harnett in reimbursement for the amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Sanitary Division of the Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

3. Report on petition of Thomas Joseph Maher (referred May 24) to be reimbursed for the amount of execution issued against him on account of his acts as driver of cart belonging to Sanitary Division of Public Works Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of ninety-three dollars and seventy-five cents (\$93.75) be allowed and paid to Thomas J. Maher in reimbursement for the amount of judgment issued against him on account of his acts as driver of a cart belonging to the Sanitary Division of the Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

4. Report on petition of Cataldo Ciaeco (referred May 24) to be reimbursed for the amount of execution issued against him on account of his acts as driver of cart belonging to Sanitary Division of 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 Cataldo Ciaeco in reimbursement for the amount of judgment issued against him on account of his acts as driver of a cart belonging to the Sanitary Division of the Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

5. Report on petition of Felix Marchesi (referred May 24) to be reimbursed for the amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Park Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of thirty-four dollars and sixty-five cents (\$34.65) be allowed and paid to Felix Marchesi in reimbursement for the amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Park Department said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

6. Report on petition of John F. Donovan (referred May 24) to be reimbursed for the 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 sixty-two dollars and six cents (\$62.06) be allowed and paid to John F. Donovan in reimbursement for the amount of judgment issued against him on account of his

acts as operator of a motor vehicle belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

7. Report on petition of John P. Frye (referred May 24) to be reimbursed for the amount of execution issued against him on account of his acts as operator of ambulance belonging to Boston City Hospital—recommending passage of accompanying order, viz.:

Ordered, That the sum of forty-four dollars and fifteen cents (\$44.15) be allowed and paid to John P. Frye in reimbursement for the amount of judgment issued against him on account of his acts as operator of an ambulance belonging to the Boston City Hospital, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

8. Report on petition of Michael J. McDonough (referred May 24) to be reimbursed for the amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Health Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of twenty-five dollars (\$25) be allowed and paid to Michael J. McDonough in reimbursement for amount of judgment issued against him on account of his acts as operator of a motor vehicle belonging to the Health Department, said sum to be charged to the Contingent Fund.

Report accepted; order passed.

PAYMENT OF AID TO SOLDIERS AND SAILORS.

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

Report accepted; said order passed.

TRAFFIC SIGNALS, CHARLES AND ALLEN STREETS.

Coun. FITZGERALD offered the following: Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the intersection of Charles and Allen streets, Ward 3.

Passed under suspension of the rule.

LOCKER BUILDING, CHARLESBANK PLAYGROUND.

Coun. FITZGERALD offered the following: Ordered, That the Park Commission be requested, through his Honor the Mayor, to erect a wooden locker building on the triangular plot not now in use on the Charlesbank Playground, the funds for same to be provided out of income from the Parkman Fund.

Passed under suspension of the rule.

ACCEPTANCE OF LENNOCO ROAD, WARD 11.

Coun. ENGLERT offered the following: Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Lennoco road, Ward 11, as a public highway under the present W. P. A. plan of construction.

Passed under suspension of the rule.

RESURFACING 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 the following streets in Ward 14 under the W. P. A. plan of construction: Kingsdale street, West Park street, Intervale street.

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 constructing a wading pool on Franklin Field or Franklin Park as a W. P. A. Project.

Passed under suspension of the rule.

COVERED GARBAGE TRUCKS.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to instruct the Sanitary Division inspectors to see to it that the contractors who are collecting garbage and refuse for the city have properly covered trucks in order that the citizens of Boston might be protected from this menace to their health, particularly during the summer months.

Coun. ROSENBERG—Mr. President, I have presented this order because there has been considerable complaint that contractors collecting garbage and refuse for the city do not have properly covered trucks going through the several districts with a resulting menace to the health of our citizens. I trust that the passage of this order, calling the attention of the Mayor and the Sanitary Division inspectors to the matter will result in the application and enforcement of proper rules and regulations in this respect upon the contractors.

The order was passed under suspension of the rule

REPAIR OF COUNCIL CHAMBER.

Coun. WILSON offered the following:

Ordered, That the Public Buildings Commissioner be requested, through his Honor the Mayor, to advise the City Council, promptly, with reference to supposed repairs to the City Council Chamber at City Hall:

1. What work, if any, is now being done in the Council Chamber.
2. The last date on which any actual work was done in the Council Chamber at City Hall.
3. The cost of all work involving the City Council, to date, with items and amounts.
4. The probable date when the Council Chamber will be again available for meeting of the City Council.
5. The total cost, to date, incident to the use of Faneuil Hall for meetings of the Boston City Council, with the various items of expense and the amount of each item.

Coun. WILSON—Mr. President, I introduce this order because, as I remember it, at the last meeting, in the Council Chamber, the 6th of last December, we were given reason to believe that the repairs to the City Council Chamber at City Hall would proceed expeditiously. Such has evidently not been the case. I have in mind, of course, the annoyance of bringing the Council and the attaches down to this splendid auditorium at every meeting. But, above all, I would like to see progress made in the repairs of our regular meeting chamber. I don't understand that there is any expense here for rental. There may or may not be some current expense in connection with furniture, care of the place, attendants, and so on. There certainly, however, is the continual inconvenience and trouble of expressing typewriters down and back once a week, with the result that they spend a good part of the time in repair shops. But what I have particularly in mind is that, while we supposed this was simply a temporary arrangement down here, something like six months have passed and absolutely nothing seems to have been done; and each afternoon those of us who have business that brings us to the fourth floor of City Hall find the doors of the Council Chamber locked and see no visible evidence of work of any sort being done. Therefore, I think there is no harm in asking the Public Buildings Commissioner, through the Mayor, to advise the Council as to just what the situation is, what is being done to rehabilitate the three top floors of City Hall, whether those floors are to remain permanently out of commission, and whether there is to be no use of the Council Chamber by the members of the Council up to the time when they go out of

office and anticipate returning. We are certainly entitled to know what plans if any, are under way, and what the cost of the various items of expense, if any, is.

The order was passed under suspension of the rule.

GARBAGE COLLECTION, BOSTON HOME FOR INCURABLES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to authorize the Board of Health to permit continued garbage collection from the Boston Home for Incurables in the satisfactory and sanitary manner followed during the past seven years.

Coun. WILSON—Mr. President, this may seem like a small matter, but it has become a rather big issue. The order is not introduced through any desire on my part to stir things up, but simply to see if steps cannot be taken to clear up a very annoying situation. For the past several years a farmer whom I never met, and whom I would not know if he came in the room at the present time, from outside of the city, has, under contract, been collecting the garbage from the Boston Home for Incurables on Dorchester avenue. I believe that for the last seven years he has performed that duty in addition to collecting garbage from various hotels and other buildings in the city. I am informed by the manager of the Home for Incurables that during the time of the arrangement made with this man the service has been well performed and in a sanitary manner, with covered receptacles, and that the collection has been made at four o'clock in the morning, without inconvenience or annoyance to anybody. Each morning he arrives and collects the garbage, in covered containers, and leaves other containers for the next day. The Home for Incurables, which has at the present time about fifty-eight inmates and fifty more employees, had naturally expected that very satisfactory arrangement to continue. But when the Dorchester disposal contract was changed over last year to the Coleman Disposal Company, at 245 State street, that company refused to permit this outside party to collect the garbage at that one point in Dorchester, which, I understand, was included within the district covered by their contract, and the Board of Health have refused to sanction the continuance of this contract with the farmer for the eighth year. I have no interest whatever in the farmer, but I am interested in the report which has come to me that during the last month, May, the Coleman Company, which had refused to allow the previous service to continue, instead of making collections at four o'clock in the morning, or having the garbage transported in covered receptacles, has come there three or less times in a week, and handled the garbage in the middle of the day, at meal-time, in open garbage trucks, under the open dining room windows of the inmates. I understand that as late as the 28th of May collection was thus made under the dining room windows at high noon. In other words, the Coleman Company insists on making its collections at this particular place at high noon, when the inmates of the hospital are near the open windows trying to enjoy their noonday meal. It seems to me a small, petty thing for this or any contractor to interfere in this manner with the sanitary and proper collection of garbage from any hospital or institution in the City of Boston. I am not speaking on behalf of this particular hospital, but it does seem to me the Mayor could perhaps intervene, in the power of his office, to convince this particular company that it will not go broke or into bankruptcy if it permits the former satisfactory collection of garbage from this institution to be carried on by somebody who will, at least, not do it at dinnertime.

The order was passed under suspension of the rule.

ACCEPTANCE OF BUST OF DOCTOR SEARS.

Coun. WILSON offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to advise the City Council the reason, if any, for failure to accept completed bust of Dr.

George G. Sears, especially in view of the fact that the work was duly authorized by the trustees, and in view of the statement by the Boston Art Commission on May 19 that the commission has been expecting action by the City Hospital Trustees for more than a year.

Coun. WILSON—Mr. President, I am sorry to be forced to repeat what I said on the 28th of April in connection with that order, which I introduced into the City Council, requesting the Boston Art Commission to permit the trustees of the City Hospital to accept this bust of Doctor Sears, so that it might be placed in the City Hospital in accordance with the provisions of the will of a prominent Boston lawyer who left one million dollars for hospital purposes. I had understood that action upon the bust, originally authorized by the Board of Trustees of the City Hospital and made by an artist of reputation, a bust which has been completed for over a year and which is acceptable to the Board of Trustees, as I have understood, and which I know is acceptable to the man whose bust it is, was held up because the Boston Art Commission did not feel that it was true art. If it was not true art, if it was their feeling that the work of this particular artist was no good at all, I would not assume that there would be any haggling over the price. But the reason why I introduce this order at this time is because of the statement on May 19 by the Boston Art Commission that the commission has been expecting action by the City Hospital Trustees for more than a year. Therefore, I would certainly like to see the thing ironed out, for the sake of the estate and in order to bring to an end the continual "passing of the buck" between the two departments.

The order was passed under suspension of the rule.

ROXBURY DISTRIBUTING STATION OF COMMODITIES.

Coun. TAYLOR and HARRIS offered the following:

Ordered, That the Commissioner of Public Buildings be requested, through his Honor the Mayor, to grant to the Surplus Commodities Division of the Department of Public Welfare of the Commonwealth of Massachusetts permission to occupy the building located at the corner of Cabot and Whittier streets, formerly used as a fire house, for use as a distributing station of commodities to the needy of the Roxbury district.

Coun. TAYLOR—Mr. President, the Surplus Commodities Division of the Department of Public Welfare at the State House is giving out to needy people of the City of Boston many commodities which they absolutely require. Unfortunately, in the Roxbury section of our city, we have no adequate station which can be used for distributing these commodities to the needy of the Roxbury district. There is now an abandoned fire house at the corner of Cabot and Whittier streets, which might well be used for this purpose. It is well located, and the director of the State Division believes it would be a fine location for such a purpose. It is centrally situated for the needy people of the district, where they could conveniently receive these commodities that are being given out by the state, and, as I say, the building has at the present time been abandoned as a fire station.

The order was passed under suspension of the rule.

ACCEPTANCE OF WARD 18 STREETS.

Coun. TAYLOR, for Coun. Norton, offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Collins street, Ward 18, as a public highway, under the W. P. A. type of construction.

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

Severally passed under suspension of the rule.

ROPING OFF CENTRE STREET.

Coun. LYONS offered the following:
Ordered, That the City Messenger be authorized to arrange for roping off Centre street, West Roxbury, on Saturday, June 25, on the occasion of the Ten-Mile Road Race to be held under the auspices of the Holy Name A. A., and the expense for same to be charged to the City Council appropriation for Ropes and Stakes, B-5 and B-42.

Coun. LYONS—Mr. President, the road race, referred to takes place on the 25th of June. It is an annual affair. Due to the fact that there are so many onlookers it is necessary to have ropes there. Therefore, I ask to have the order passed. The order was passed under suspension of the rule.

RESURFACING OF MONTVALE STREET.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Montvale street, Ward 20, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ARC LIGHTS, FALLON FIELD.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install arc lights on Fallon Field, Ward 20, from the Belgrade avenue to the South street side.

Coun. LYONS—Mr. President, I introduced two months ago an order to place arc lights in Fallon Field, Ward 20, and received an answer back last week that they could not install the arc lights there. I certainly think the taxpayers of Boston should be protected as far as that particular place is concerned. There is certainly a menace to people passing through there at night. You cannot see a foot ahead of you. Therefore, protection to the people of the section is urgent. At night young people gather there, and the Police Department will not go down to inspect conditions and see what is going on. There is danger of people along the car line, at South street, and in that neighborhood, being held up, because of lack of lighting facilities. The people of that district need protection, and lights should be installed in Fallon Field.

The order was passed under suspension of the rule.

DUMPING AT WASHINGTON AND BEECH STREETS, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to take immediate steps to prevent further dumping on the land at the corner of Washington and Beech streets, Ward 20, as said dump constitutes both a health and fire menace to residents and property in the immediate vicinity of same.

Coun. LYONS—Mr. President, this dump does not happen to be in my ward, but it is in a border-line ward, and my constituents receive all the smoke and dust from the dump. Therefore, I am trying to protect them by having something done in the matter. It is burning there day and night, and there is a continual pall of smoke arising from it. After all, I think people in the neighborhood should receive some consideration. They naturally like to sleep with their windows open, and it is not very nice to have smoke coming into your house day and night. I am introducing this order at the request of the American Legion and the Roslindale Post.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. FITZGERALD, for the Committee on Public Lands, submitted the following:

1. Report on message of Mayor and order (referred May 2) authorizing Patrick Rinn to con-

struct building over Roslindale branch of Stony brook—that same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

RESURFACING OF ORCHARD STREET, WARD 19.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to resurface with smooth paving, under the W. P. A. type of construction, Orchard street, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF FESSENDEN STREET, WARD 19.

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, under the W. P. A. form of construction, Fessenden street, Ward 19.

Passed under suspension of the rule.

TRAFFIC LIGHTS, BROWN AVENUE AND CUMMINS HIGHWAY.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to immediately arrange for the installation of traffic lights at the junction of Brown avenue and Cummins Highway, Ward 19.

Coun. PETER A. MURRAY—Mr. President, that is a junction, Brown avenue and Cummins Highway, where it is absolutely necessary, in the interests of the public, that there should be traffic lights. It is an extremely important traffic junction, and is in the immediate neighborhood of a church and a school. The clergy of all denominations, as well as the public generally, favor the traffic lights, for the protection of the life and limb of the thousands of people who have to cross those streets. Certainly the Traffic Commissioner, through the Mayor, should immediately arrange for the installation of traffic lights at this junction of Brown avenue and Cummins Highway, Ward 19.

The order was passed under suspension of the rule.

CERTIFICATION OF W. P. A. APPLICANTS.

Coun. PETER A. MURRAY offered the following:

Ordered, That the trustees of the Board of Public Welfare be requested, through his Honor the Mayor, to arrange a separate department to take care of the certification of applicants for W. P. A. employment.

Coun. PETER A. MURRAY—Mr. President, it is extremely important that the trustees of the Board of Public Welfare should as soon as possible arrange a separate department to take care of the certification of applicants for W. P. A. employment. Certainly, false hopes should not continue to be held out to such applicants. I know of cases where application was made on the 12th of May and up to the present time men in the outlying district offices of the department are not certified. They are told in the outlying branches that they will be immediately certified and will have a chance to go to work on W. P. A. But when they go down to the place of employment they find that they are not certified. I hope this "buck passing" will be stopped, and that needy people who have applied for certification will be certified and will then be able to receive some help from the W. P. A.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 4.15 p. m. to take a recess subject to the call of the Chair. The Council reassembled and were called to order at 4.25 p. m. by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

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

Lester P. Gould Whiton Hall, June 14; Josette P. Curren, Current Events Hall, June 7; Marie Kehoe, Jordan Hall, June 10; Kay A. McDermott, Jordan Hall, June 2; Mary E. Ring, BRIGHTHELMSTONE Hall, June 15; Edna V. Sheehan, Greenwood Community House, June 21; Ernest Weidner, South Boston Municipal Building, June 3; Lavinia A. Hogan, Jordan Hall, June 3; Ursula M. Loughran, Hotel Somerset, June 2—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 transfer in appropriation for Boston Traffic Commission \$2,500 from Relief Projects to \$850 for Equipment, \$150 for Supplies, \$1,500 for Materials—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

3. Report on message of Mayor and order (referred today) authorizing City Treasurer to obtain approval of Emergency Finance Board to issuance of \$3,000,000 in notes, bonds or certificates of indebtedness, to be sold, for purpose of meeting outstanding revenue loans—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

THE NEXT MEETING.

The Council voted, on motion of Coun. CHASE, that when it adjourns it be to meet on Monday, June 20, 1938, at 2 p. m.

RESURFACING OF ST. STEPHEN STREET.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface St. Stephen street, Ward 4, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ACCEPTANCE OF WENDOVER STREET.

Coun. KERRIGAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Wendover street, Ward 7, as a public highway.

Passed under suspension of the rule.

COVERING OF RUBBISH.

Coun. HUTCHINSON offered the following:

Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to instruct Doyle, the contractor, to cover all rubbish dumped on the westerly side of Gallivan Boulevard with filling.

Passed under suspension of the rule.

LEASE TO CHARLESTOWN POST, NO. 544.

Coun. GALVIN offered the following:

Ordered, That the Superintendent of Public Buildings of the City of Boston be, and he hereby is, authorized, in the name and behalf of the City of

Boston, with the approval of the Mayor of the City of Boston, and in form satisfactory to the Law Department of the City of Boston, to lease for post and camp headquarters to the Charlestown Post, No. 544, Veterans of Foreign Wars, for the term of five years, at an annual rental of one dollar a year, the following described premises, with the right to cancel any lease of said premises by giving thirty days' notice in writing of its intention so to do, namely, the Building on Elm street, Charlestown, formerly known as Fire Engine Company 27.

Passed under suspension of the rule.

OPENING OF ONE SIDE OF WARREN AVENUE BRIDGE;

Coun. GALVIN offered the following:
 Ordered, That his Honor the Mayor be requested to issue instructions for the completion and opening to traffic of one side of the Warren Avenue Bridge as a temporary structure, before work is started on the other side as a protective measure in case of fire or any similar hazard.

Passed under suspension of the rule.

ST. GERMAIN STREET, WARD 4.

Coun. CHASE offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor,

to install artificial stone sidewalks to replace the present brick sidewalks on both sides of St. Germain street, Ward 4, and to resurface the roadway of same under the W. P. A. plan of construction.

Passed under suspension of the rule.

Adjourned on motion of Coun. CHASE, at 4.32 p. m., to meet on Monday, June 20, 1938, at 2 p. m.

CORRECTION.

At the meeting on May 24, 1938, page 197, Coun. LYONS offered the following:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a sidewalk on Washington street, between Murray Hill road and Linden street, Roslindale, said work to be done as a W. P. A. project."

Coun. PETER A. MURRAY said: Mr. President, that is in my district, and I don't think members of this body should interfere in other councilors' districts. I object, Mr. President.

Coun. NORTON—Mr. President, I believe the councilor who introduced the order simply made a mistake. Such mistakes are sometimes quite natural. I have made a similar mistake at times myself. I am sure that the young man offering the order simply made a mistake. We all know that there is no member of the body who looks after the interests of his district more efficiently or conscientiously than the gentleman from Ward 19 (Coun. Peter A. Murray).

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 20, 1938.

Regular meeting of the City Council held in Faneuil Hall at 2 p. m., President KERRIGAN presiding. Absent, Coun. Irwin, Norton and Rosenberg.

APPOINTMENTS BY THE MAYOR.

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

Constables for term ending April 30, 1939, to serve civil process upon the filing of bonds: William D. Whitmore, 212 Bay State road, Ward 5; Harry P. Frost, 36 South Russell street, Ward 3.

Weigher of Goods: Forrest G. Wilder, Jr., 39 Circuit road, Winthrop, Mass.; George H. Adamian, 195 Pleasant street, Arlington, Mass.; Mirak A. Hojelian, 138 W. Concord street, Boston, Mass.

Weighers of Coal: Arnold B. Crosby, 26 Sheffield road, Melrose, Mass.; Harry L. Williams, 52 Charmwood road, Medford, Mass.

Severally laid over a week under the law.

PEDESTRIAN RESERVATIONS, UNION SQUARE, ALLSTON.

The following was received:

City of Boston,

Office of the Mayor, June 15, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of April 4, 1938, concerning the installation of pedestrian reservations in Union square, Allston.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Traffic Commission, May 10, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston,

Dear Mr. Mayor,—With further reference to Council order dated April 4, 1938, which reads as follows, and my reply of April 20, 1938:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install pedestrian reservations in Union square, Allston." I respectfully submit for your approval a plan entitled "Proposed Traffic Islands, Union Square, Brighton," May 4, 1938, showing a series of safety islands which will effect the proper channelization of movements of vehicular traffic through Union square, Brighton, and afford safety to pedestrians.

In the event of your approval the Public Works Department will construct these islands under a W. P. A. project which includes the erection of safety islands of the type which are proposed for Union square.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

ARC LIGHTS, FALLON FIELD.

The following was received:

City of Boston,

Office of the Mayor, June 15, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 6, 1938, concerning the installation of arc lights on Fallon Field, Ward 20, from Belgrade avenue to the South-street side.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Park Department, June 13, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Mr. Mayor,—I am in receipt of a memorandum from the City Council, that the Park Commission be requested to install arc lights on Fallon Field, Ward 20, from Belgrade avenue to the South-street side.

Under date of April 22, I submitted a report that it would cost \$2,500 to install said lights, and the maintenance cost would be in the vicinity of \$226.50 for a year, and that it would be necessary to insert the above-mentioned amounts in the budget.

I regret to inform you the department has no funds available at the present time.

Very respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

SIDEWALK, WASHINGTON STREET, ROSLINDALE.

The following was received:

City of Boston,

Office of the Mayor, June 20, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 24, 1938, concerning the installation of a sidewalk on Washington street, between Murray Hill road and Linden street, Roslindale, which requests that this work be done as a W. P. A. project.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department, June 16, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I received City Council order of May 24 relative to the installation of a sidewalk on Washington street, between Murray Hill road and Linden street, Roslindale, which requests that this work be done as a W. P. A. project.

At the present time there is a gravel sidewalk which should be replaced by granolithic, but as this requires an assessment upon the owner as part payment on the work, it is not possible to consider the work as a W. P. A. project, and as this division has no funds at present, the department will be unable to comply with the request of the City Council.

Respectfully yours,

E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

TRAFFIC ON WARREN BRIDGE.

The following was received:

City of Boston,

Office of the Mayor, June 20, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 6, 1938, concerning the completion and opening in traffic of one side of the Warren Avenue Bridge as a temporary structure, before work is started on the other side.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department, June 16, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of City Council order, as passed under date of June 6, which requests that one side of the Warren Bridge be used as a temporary structure while the permanent work is being done, but regret that this department cannot comply, inasmuch as the contract was advertised and signed before the date of the City Council order.

The department had given consideration to the proposal before the contract specifications were let, but, owing to the fact that we had a limited amount of money in the budget, we were unable

to consider the proposition, as it would add considerable to the cost of the repair work contemplated.

The Charlestown Bridge will be able to take care of the necessary fire apparatus and any emergency that may arise.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

PROPERLY COVERED GARBAGE TRUCKS.

The following was received:

City of Boston,
Office of the Mayor, June 20, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 6, 1938, concerning the instructing of the Sanitary Division inspectors to see to it that the contractors who are collecting garbage and refuse for the city have properly covered trucks.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 16, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have received copy of City Council order, passed under date of June 6, relative to the Sanitary Division inspectors compelling contractors who collect garbage and refuse to have the loads properly covered. Permits are issued by the Sanitary Division to private contractors, with the stipulation that all loads shall be properly covered, under penalty of revocation. The department has sent out many requests to the police to report such omissions by the drivers and several have been penalized, and everything has been done in the past and continuing at the present to comply with the City Council order.

On city-owned trucks, where a driver does not cover the load, he is suspended, and if the violation continues, is reduced to a laborer.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

BRANCH LIBRARY, FOREST HILLS.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from Milton E. Lord, Director of the Public Library of the City of Boston, relative to your order of May 24, 1938, concerning the establishing of a branch library at Forest Hills, in the vicinity of Hyde Park avenue and Walk Hill street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Library Department, June 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At their last meeting the trustees gave consideration to the order passed by the City Council on May 25, 1938, requesting the trustees of the Public Library to establish a branch library at Forest Hills, in the vicinity of Hyde Park avenue and Walk Hill street.

I was directed by the trustees to state that careful consideration had been given to the possibilities of action set forth in the order, and that they regret that they are not possessed of the necessary funds for establishing additional branch libraries.

Respectfully,
MILTON E. LORD, Director.

Placed on file.

REMOVAL OF RAGWEED.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to

your order of May 24, 1938, concerning the removal of ragweed from the highways and parkways of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 9, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I received copy of City Council order of May 24 relative to having every effort made to remove ragweed from the highways and parkways of the City of Boston, and orders have been given to the Street Cleaning force of the Sanitary Division to see that this work is done at once.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

TRAFFIC SIGNALS, CHARLES AND ALLEN STREETS.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of June 6, 1938, concerning the installation of automatic traffic signals at the intersection of Charles and Allen streets, Ward 3.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, June 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated June 6, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the intersection of Charles and Allen streets, Ward 3."

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

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

TRAFFIC SIGNALS, WARD 19.

The following was received:

City of Boston,
Office of the Mayor, June 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of June 6, 1938, concerning the installation of traffic lights at the junction of Brown avenue and Cummins Highway, Ward 19.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, June 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated June 6, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to immediately arrange for the installation of traffic lights at the junction of Brown avenue and Cummins Highway, Ward 19."

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

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

WADING POOL, FRANKLIN FIELD.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 6, 1938, concerning the advisability of constructing a wading pool on Franklin Field or Franklin Park as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, June 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from Chief Clerk William T. Doyle, with inclosure, order from the City Council that the Park Commissioner be requested to consider the advisability of constructing a wading pool on Franklin Field or Franklin Park as a W. P. A. project.

I will be very pleased to make a study of the advisability of having a wading pool in Franklin Park and Franklin Field.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LOCKER BUILDING, CHARLESBANK PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 6, 1938, concerning the erecting of a wooden locker building on the triangular plot not now in use on the Charlesbank Playground.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, June 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have received a memorandum from Chief Clerk William T. Doyle, with inclosure, order from the City Council that the Park Commission be requested to erect a wooden locker building on the triangular plot not now in use on the Charlesbank Playground, the funds for same to be provided out of income from the Parkman Fund.

I regret exceedingly to inform you that all interest on the Parkman Fund is to be used for maintenance and cannot be diverted this year.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

PEDESTRIAN PUSH BUTTON, WARD 22.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of May 10, 1938, concerning the installation of a pedestrian push button feature in the traffic signal at the intersection of North Beacon and Parsons streets, Ward 22.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, May 31, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated May 10, 1938, which reads as follows:

“Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install a pedestrian push button feature in the traffic signal at the intersection of North Beacon and Parsons streets, Ward 22, to provide an

exclusive pedestrian period, so that persons getting on and off buses may cross this very dangerous street.”

This department has been considering this suggested change for some time and we have ordered the necessary equipment to do the work. We expect to complete the work in from two to three weeks.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

LOCAL FARE, ELEVATED LINES.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway Company relative to your order of May 24, 1938, concerning an extension of the local fare on the Brighton-Newton-Watertown and Commonwealth avenue lines.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
June 3, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The trustees considered at their meeting today the request contained in order of the City Council received with your letter of May 31, but in view of the fact that extension of the local fare on the Brighton-Newton-Watertown and Commonwealth avenue lines to the entrance to the Kenmore Square Subway would add to the deficit assessment, they do not feel that it can be justified.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

WARREN AVENUE SIDEWALK.

The following was received:

City of Boston,
Office of the Mayor, June 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 24, 1938, concerning the construction of an artificial stone sidewalk on both sides of Warren avenue, Wards 4 and 5, to replace the present brick sidewalk, said work to be done as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 6, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council requesting the Commissioner of Public Works to construct an artificial stone sidewalk on both sides of Warren avenue, Wards 4 and 5, to replace the present brick sidewalk, said work to be done as a W. P. A. project.

Arrangements will be made for carrying out, during the present construction season, the request contained in this City Council order and the present brick sidewalks will be replaced with sidewalks of artificial stone.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

PLAYGROUND, EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 24, 1938, concerning the consideration and advisability of establishing a playground for children on city-owned land at the corner of London and Decatur streets, East Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, June 7, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I am in receipt of a memorandum of May 31, with inclosure, City Council order, relative to the advisability of establishing a playground on city-owned land at the corner of London and Decatur streets, East Boston.

Please be informed I have no knowledge of any city-owned land at this point, unless it was taken for tax title, which matter I will look into immediately.

If it possible to make a W. P. A. project up for a playground and money can be appropriated for the maintenance of same, I will be glad to comply with the councilor's request.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESURFACING OF WELLINGTON HILL STREET.

The following was received:

City of Boston,
Office of the Mayor, June 15, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 10, 1938, concerning the resurfacing with smooth pavement of Wellington Hill street, Ward 14, under the present plan of W. P. A. construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 6, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council requesting that the Commissioner of Public Works resurface with smooth pavement Wellington Hill street, Ward 14, under the present plan of W. P. A. construction.

You are informed that this street will be submitted on a project for construction during the present year.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 16, 1938.
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,
MAURICE J. TOBIN, 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 D, Supplies, \$1.20, to the appropriation for B, Contractual Services, \$1.20.

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 Boston Juvenile Court:

From the appropriation for D, Supplies, \$10.25, to the appropriation for C, Equipment, \$10.25.

Referred to Executive Committee.

USE OF SIDEWALKS.

The following was received:

City of Boston,
Office of the Mayor, June 20, 1938.
To the City Council.

Gentlemen,—The sidewalks on streets are primarily for pedestrian travel, subject, of course,

to the right of the abutting land owner to suitable access to his property.

A considerable increase in the use of land for outdoor parking purposes has taken place in the last few years and a noticeable tendency has developed not only to encroach on the sidewalks, but to use them to an unwarranted extent for driveway purposes.

To correct this situation, I submit herewith and recommend for passage by your Honorable Body the accompanying ordinance.

Respectfully,
MAURICE J. TOBIN, Mayor.

An Ordinance Concerning Use of Sidewalks.
Be it ordained by the City Council of Boston, as follows:

Section seventy-nine of chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by adding at the end thereof the following:

Except in accordance with a special permit granted by the commissioner of public works and approved by the mayor, no driveway or other opening for the passage of vehicles across a sidewalk shall be constructed to a width of more than ten feet nor shall more than a total of twenty feet in width of the sidewalk in front of any one parcel or two or more contiguous parcels of land owned or occupied by one person, firm or corporation be used for driveways.

Referred to Committee on Ordinances.

TRAFFIC SIGNAL INSTALLATIONS.

The following was received:

City of Boston,
Office of the Mayor, June 20, 1938.
To the City Council.

Gentlemen,—I am in receipt of the accompanying communication from the Traffic Commissioner. Bring deeply interested in adopting any measure which will result in improved regulation of traffic within the city I am pleased to accept the suggestion contained therein. I trust it may be possible within a short time to make further appropriations available so that the "start" suggested by the Traffic Commissioner may develop into a worthwhile program. I submit herewith an order providing for the transfer suggested in the communication and respectfully recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, June 16, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—This office has on file a large number of requests and orders for the installation of traffic control signals at street intersections throughout the city where traffic is unduly heavy. Solely because of the financial condition of the city it has been impossible for this department to honor or comply with these requests and orders. Realizing that a direct appropriation cannot be secured for the adoption of a city-wide program for the correction of existing traffic hazards, I am taking the liberty of laying before you a suggestion, which, if adopted, will make available funds with which a start, at least, could be made in the safeguarding of pedestrian traffic and the reduction of motor vehicle accidents involving personal injury.

In 1933 an appropriation of approximately \$20,000 was made for the installation of traffic signals in the North End section. Under this appropriation lights were installed at four intersections in the North End district at an approximate expense of \$10,000, leaving a balance of about the same amount unexpended. No further action has taken place under the appropriation and an unexpended balance of \$10,497.83 has been carried on the books of the city for over four years. I respectfully suggest that this balance might be transferred to an unrestricted appropriation, thus permitting its use for installations to be subsequently determined. I also suggest that an unexpended balance of \$806.94 remaining in the appropriation for signals in the Back Bay and Brighton districts might likewise be transferred, since the work covered by this appropriation has

been completed, and the balance remaining is not large enough to cover any further installations in the two districts concerned.

In the event this proposed transfer was approved consideration could be given to the immediate construction of a limited number of traffic signal installations. In this connection, I would suggest for consideration the following list of ten intersections which, from the records of this department, reflects the heaviest accident record during the past twenty-eight months:

| INTERSECTION. | Motor Vehicle Accidents Involving Personal Injury from January 1, 1936, to May 1, 1938. |
|--|---|
| Old Colony avenue and Preble street.. | 29 |
| Ashby street, Commonwealth avenue and St. Mary's street..... | 28 |
| Chelsea street and Porter street..... | 23 |
| Blue Hill avenue and Woodrow avenue..... | 23 |
| Cummins Highway and Hyde Park avenue..... | 23 |
| Strathmore road and Sutherland road, | 19 |
| Evans way, Fenway and Louis Prang street..... | 18 |
| Townsend street and Walnut avenue.. | 15 |
| Austin street and Rutherford avenue, | 14 |
| Cabot street and Vernon street..... | 14 |

Consideration might well be given to the intersection at Columbia road, Dr. Michael Gavin way, Gen. Lawrence J. Logan way and Old Colony avenue. When the housing development at this spot is fully occupied thousands of men, women and children will be crossing daily at this point in order to use the recreational facilities available at the South Boston Strandway.

If this suggestion meets with your approval I respectfully recommend that the necessary transfer orders be submitted to the City Council.

Respectfully 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 Automatic Traffic Signals, North End Section, \$10,497.83; Automatic Traffic Control Signals, Back Bay and Brighton Districts, \$806.94, to the appropriation for Traffic Signal Installations, \$11,304.77.

Referred to Executive Committee.

UNDERPASS, HUNTINGTON AND MASSACHUSETTS AVENUES.

The following was received:

City of Boston,
Office of the Mayor, June 20, 1938.

To the City Council.

Gentlemen,—I transmit herewith an order providing for the acceptance of chapter 395 of the Acts of 1938, entitled, "An Act for the construction of an underpass in Huntington avenue at or near its intersection with Massachusetts avenue, and for the making of an alteration of the subway now being constructed in said Huntington avenue."

The acceptance of this act by all interested parties, and the approval of the project by the Federal Government, will accomplish a twofold purpose,

in that it will meet a long recognized need for an underpass at Massachusetts and Huntington avenues, and it will carry the Huntington Avenue Subway to a point 1,200 feet westerly of Massachusetts avenue. These two improvements carried on in unison will eliminate much of the serious traffic delays along Huntington avenue, due mostly to the Worcester Turnpike traffic, and will provide improved car service to the residents of the Roxbury-Jamaica Plain sections of the city.

The underpass is estimated to cost \$830,000, of which amount the city will provide \$300,000, to be raised by a bond issue outside the limit of indebtedness. The extension of the subway is estimated to cost \$4,000,000, of which amount the City of Boston will furnish \$1,310,000 through a forty-five year subway bond issue, the interest and sinking funds for which will be paid by the Boston Elevated Railway Company in the form of rental, provided there is no deficit. It is estimated that the joint project will be completed within two years.

Although the acceptance of this act entails a capital expenditure on the part of the city, I am of the opinion that the necessity for this joint project and the improvements to follow warrant the expenditures involved. This project will be one of the largest W. P. A. projects in the country, and the Federal Government's willingness to furnish over fifty per cent of its cost makes it a most attractive one for the city.

Incidentally, it will provide work for a period of two years to a considerable number of men.

In view of the fact that work on this joint project cannot be commenced until the act under discussion is accepted by the City Council, and then by the Board of Directors of the Boston Elevated Railway Company, I respectfully request that your Honorable Body give this matter your earliest possible attention and action.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That chapter 395 of the Acts of 1938, entitled "An Act Providing for the Construction of an Underpass in Huntington Avenue at or near its intersection with Massachusetts Avenue in the City of Boston, and for the Making of an Alteration of the Subway now being constructed in said Huntington Avenue" be, and hereby is, accepted.

Referred to Executive Committee.

CLOSE OF PAY ROLL WEEK.

The following was received:

City of Boston,
Office of the Mayor, June 13, 1938.
To the City Council.

Gentleman,—Under the provisions of section 20 of chapter 3 of the Revised Ordinances of 1925 the pay roll week for all employees receiving their compensation on a weekly basis ends on a Thursday. In the opinion of the City Treasurer and City Auditor the payment of pay rolls could be handled in a much more expeditious manner if the date of the close of the pay roll week was advanced to Tuesday. Whereas, under the present arrangement, the payment of a large number of pay rolls must be deferred until the week following the period for which they are prepared, it is estimated that with the pay roll week closing on a Tuesday approximately 85 per cent of all departmental pay rolls would be paid before the close of the week in which they were submitted. Feeling that the proposal to advance the closing of the pay roll week from Thursday to Tuesday has considerable merit, I submit herewith an order providing for the necessary amendment in the existing ordinance. I respectfully recommend adoption of this order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

An Ordinance Concerning the Pay Roll Week.
Be it ordained by the City Council of Boston, as follows:

Chapter three of the Revised Ordinances of 1925 is hereby amended in section twenty by striking out in line three the word "Thursday" and inserting in place thereof the word "Tuesday."

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

William G. Anderson, for compensation for injuries caused by an alleged defect at 120 Savin Hill avenue.

Charles A. Bates, for refund on dues paid the George Wright Golf Club.

Boston Coal and Wood Company, for compensation for damage to property at Newcomb street, Roxbury, caused by city truck.

Chase Express Company, for compensation for damage to truck by dump truck.

Colonial Beverage Company of Cambridge, for compensation for damage to property at Commercial street, caused by city truck.

John A. Crasco, for compensation for damage to property at 34 Leyland street, caused by sewer being blocked.

Sadie E. Gray, for compensation for injuries caused by city truck.

Paul Guido, to be reimbursed for execution issued against him.

Paul V. P. Harrington, for compensation for damage to car caused by an alleged defect at 10 Samoset street.

The Hub Advertising Company, for refund on sign permit and building permit.

George H. Huben, to be reimbursed for execution issued against him.

Stuart O'Connor Minard, for compensation for damage to car caused by an alleged defect in Columbia Circle.

F. Lloyd Montgomery, for compensation for damage to car caused by city truck.

Neil M. Murphy, to be reimbursed for execution issued against him.

Neil M. Murphy, to be reimbursed for execution issued against him.

The Musicians' Mutual Relief Society of Boston, Incorporated, to be reimbursed for expenses incurred in digging sewer.

Alice M. O'Brien, for compensation for damage to property at 36 Cotton street, Roslindale, caused by negligence of Water Department.

Mabel E. Peterson, for compensation for damage to property at 67 Willowood street, caused by falling tree.

Thatcher Taylor, for compensation for damage to car caused by an alleged defect in Edward Everett square.

Corinne F. Topham, for compensation for damage to property at 907 Metropolitan avenue, caused by backing up of sewage.

Arthur J. Wright, to be reimbursed for execution issued against him.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between junction of Atlantic avenue and State street and junction of Commercial and Battery streets, over Atlantic avenue and Commercial street.

Executive.

Rose E. McCarthy, to be paid an annuity on account of death of her husband, Francis J. McCarthy, late member of Fire Department.

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

Ellen F. Carney, St. Mary's Hall, June 30.

Florence Hamilton, Highland Hall, June 24.

Martha Biegelman, Peabody Playhouse, June 19.

Dorothy Oliver Plausse, Jordan Hall, June 15.

Ann M. Devine, Whiton Hall, June 10.

Adrienne K. Leeman, Peabody Playhouse, June 11.

Katherine E. Fay, South Boston Municipal Building, June 10.

Ethel M. Gegan, Whiton Hall, June 27.

Rita M. Harrison, Roslindale Municipal Building, June 20.

RESIGNATION OF WILLIAM A. MOTLEY, JR.

Notice was received from William A. Motley, Jr., of his resignation as Street Commissioner, to take effect immediately.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notices were received from the Mayor of the following appointments, viz.:

John J. Walsh, 29 Brainerd road, Brighton, assessor, for term ending March 30, 1939.

John P. O'Hearn, 287 Ashmont street, Dorchester, assessor, for term ending March 30, 1940.

Thomas A. Dowd, 87 Ainsley street, Dorchester, assessor, for term ending March 30, 1941.

Edward T. Kelly, 366 Arborway, Jamaica Plain, assessor, for term ending March 30, 1942.

John C. L. Dowling, 318 Warren street, Roxbury, assessor, for term ending March 30, 1943.

Notice was received designating Edward T. Kelly to be Chairman of Board, as reorganized, under authority of chapter 257 of Acts of 1938.

Dr. George G. Sears, 426 Beacon street, to be member of Board of Trustees of Boston City Hospital, for term ending April 30, 1943.

Ellery Sedgwick, 14 Walnut street, to be member of Board of Trustees of Public Library, for term ending April 30, 1943.

John A. Donoghue, 64 Halifax street, Jamaica Plain, to be member of Transit Commission, for term ending April 30, 1941.

William A. Motley, Jr., 90 Montebello road, Jamaica Plain, to be Election Commissioner, for term ending March 30, 1942, effective June 16, 1938, also notice designating him as Chairman of the Board.

Notice was received designating William A. Motley, Jr., as Acting Street Commissioner.

William Emerson, 159 Brattle street, Cambridge, as member of the Art Commission.

PAYMENT OF AID TO SOLDIERS AND SAILORS.

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

Report accepted; said order passed.

ORGANIZATION OF BOARD OF ASSESSORS.

Notice was received from Board of Assessors of election of John P. O'Hearn as secretary for ensuing year.

Placed on file.

SUSPENSION OF STEP-RATE INCREASES.

Notice was received from Wilfred Bolster, Chief Justice, Municipal Court, of suspension of operation of step-rate increases as to those officers hereafter becoming entitled thereunder during remainder of year 1938.

Placed on file.

ENROLLMENT IN MILITIA.

Notice was received from Board of Assessors that number of persons in City of Boston liable to enrollment in militia in 1938 is 143,844.

Placed on file.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of John J. Adams, John L. Murray, Peter E. Rasnick, Herbert Rosenberg, having been duly approved by the City Treasurer, were received and approved.

CONFIRMATION OF APPOINTMENTS.

On motion of Coun. AGNEW, the Council voted to take up the name of Aber Uckerman from No. 1 on the calendar, constable authorized to serve civil process; from No. 2 on the calendar, Harry Greenbaum, to be constable with authority to serve civil process upon filing bond; and No. 3 on the calendar, Warren F. Flynn, to be a weigher of goods.

The question came on confirmation of the appointment. Committee, Coun. Sullivan and Carey. Whole number of ballots 13, yes 11, no 2, and the appointments were confirmed.

RELEASE TO NEW YORK, NEW HAVEN & HARTFORD RAILROAD.

President KERRIGAN called up No. 4 on the calendar, viz.:

4. Whereas, Acting under the authority of chapter 257, Acts of 1896, entitled, "An Act to Require Alterations in the Crossings of Public and Private Ways with Railroads in the Towns of Hyde Park and Dedham, and to Permit the Use of Electric Power on the Dedham Branches of the New York, New Haven and Hartford Railroad," certain grade crossings, including the grade crossing situate in Hyde Park adjacent to Hyde Park avenue, were altered and certain drains were built, including a drain beginning at a manhole in the center of Hyde Park avenue and running across the land of the New England Railroad Company to the Neponset river, as is more particularly described in a petition recorded with Norfolk Deeds, Book 787, page 421; and

Whereas, The said drain is no longer needed for public purposes; and

Whereas, By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of Boston on May 14, 1934, the said Board of Street Commissioners took for sewerage works the lands, rights and easements fully described in said instrument of taking recorded with Suffolk Deeds, Book 5453, page 599, the said sewer running through the land of the New York, New Haven & Hartford Railroad Company; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized to abandon the drain which was laid out under the authority of chapter 257, Acts of 1896, and to release to Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, trustees of the New York, New Haven & Hartford Railroad Company, debtor, all rights which it may have to maintain said drain upon the said property of the New York, New Haven & Hartford Railroad Company, when and if the said New York, New Haven & Hartford Railroad Company, in consideration of the said release to it by the City of Boston, releases the City of Boston by an instrument in writing, satisfactory in form to the Law Department of the City of Boston, from all claims and demands for damages caused by or in any way growing out of the abandonment of the said drain and also grants to the City of Boston by an instrument in writing, satisfactory in form to the Law Department of the City of Boston, the right and easement to use for sewerage works the land of the New York, New Haven & Hartford Railroad Company set forth in the said taking, recorded with Suffolk Deeds, Book 5453, page 599, and also causes proceedings brought in the Superior Court for the County of Suffolk in the case of the New York, New Haven & Hartford Railroad Company, plaintiff, and the City of Boston, defendant, and numbered 310028 in the present numbering of the docket of said Superior Court, to be discontinued, satisfied and abandoned.

On May 24, 1938, 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.

TAX TITLE LOAN.

President KERRIGAN called up No. 5 on the calendar, viz.:

Ordered, That under the provisions of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, the City Treasurer be authorized to obtain the approval of the Emergency Finance Board to the issuance of \$3,000,000 in notes, bonds or certificates of indebtedness of the city, said notes, bonds or certificates to be sold at their face value to the Commonwealth and the proceeds be, and hereby are, appropriated for the purpose of meeting outstanding revenue loans.

On June 6, 1938, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second reading and passage, yeas 19, nays 0.

MATRON, TEMPORARY HOME, HAWKINS STREET.

Coun. TAYLOR offered the following:

Ordered, That his Honor the Mayor be requested to direct the Board of Overseers of the

Public Welfare to appoint a matron in the Temporary Home at Hawkins street to fill in during the summer months.

Coun. TAYLOR—Mr. President, I am informed that at the Temporary Home, in past years during the summer vacation period, they always employed some students to take the places of those employees on vacation. I understand and I am informed that this season they are going to do away with the temporary employees to fill in at the Temporary Home, and as a result, those now employed have to work overtime and consequently they have to work an average of seventy-three hours a week over twelve weeks of the year. This is a great injustice to the city employees who are entitled to two weeks' vacation during the year without having to work twenty to twenty-four hours, as an added burden, during the following weeks. I ask that the order pass.

The order was passed under suspension of the rule.

RECESS.

On motion of President KERRIGAN the Council voted at 2.33 p. m. to take a recess, subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 4.10 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) for transfers within departmental appropriations—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

2. Report on message of Mayor and order (referred today) accepting act for construction of underpass in Huntington avenue and Massachusetts avenue—that same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

3. Report on message of Mayor and order (referred today) authorizing transfer from appropriation for Automatic Traffic Signals, North End Section and Back Bay and Brighton Sections, to appropriation for Traffic Signal Installations—that same ought to pass.

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

Coun. FITZGERALD—Mr. President, I intend to vote against any appropriation here for lights in view of the fact that, for seven years, agitation has been going on to place traffic lights on Charles street which is, without any question, the most dangerous place we have in the confines of Boston. We have tried particularly to get a light at Allen street. And for the past year there has been an average of something like forty or fifty children that have lost their lives on that street. I am astounded that a man who has lived in this city, on a matter which I thought was all settled and a matter of record, a man with whom I served in the Legislature and a man who I thought was on the level for years, who had fought for this matter and always spoke in favor of traffic lights on Charles street—and we were always given to understand that no money was available for the lights; and now we find out from some carefully hidden source that \$10,000 has been tucked away and has now come to light. It is astounding. I always wondered what was the reason for the opposition to the traffic lights on Charles street. We were always told that engineers and the traffic experts were opposed to the placing of traffic lights on Charles street. The land that was taken down there for the park was given by philanthropic citizens of the city, who also gave the money for the improvements down there for the people of that district, and all that was done with it was to make a great race track out of Charles street. The improvements were made for the people of that district and that man always told the people of the district and told me, in particular, that he was always in favor of the traffic lights, if the money was available. It was estimated that \$3,000 was needed and now they find \$10,000, which is to be taken from the North End and spent for traffic lights in other parts of the city. I cannot possibly vote for it, and I regret very much that this matter has been brought in here today, because I believe that every section should have its proper share. In

view of the fact that this district which I represent has sent me here to the Council year after year, and has voted for me for almost a quarter of a century, I believe I would be a traitor to the people there if I voted for that order, and I want to go on record here publicly on that question. I do not believe that you can vote on this matter intelligently. I know that the lights are essential there and the people want them; and I want to say that I did not know this matter was coming up today, or I would have come prepared. I sincerely hope and trust that this wrong will be corrected and that the people in that section will have the lights, and that the money will be kept where it is now, separate. I cannot see how you can vote for traffic lights on this order today.

Coun. SHATTUCK—Mr. President, I regret very much that the gentleman has seen fit to impugn the honor of the Traffic Commissioner. I too served with him years ago on Beacon Hill. He is as honorable a man as I have ever known. These locations—none of them were in my ward—have been selected because of the number of accidents that have occurred at those intersections. They are the intersections we have today that need traffic lights most. I shall vote for the order, having complete confidence in the Traffic Commissioner.

Coun. G. A. MURRAY—Mr. President, I feel without a doubt that the councilor from Ward 3 was justified in saying what he said about the traffic lights in the West End of Boston, but we had a representative of the Traffic Department here and he made the selection of the intersections that are to be considered for traffic lights, and he made that selection according to the hazardous conditions at the various intersections at which the accidents took place. He said that that number of people were injured at those places at the time the commission listed them. He did not say that those places listed in the order, as they came through, would be the ones to be selected to have traffic lights; and probably the councilor from Ward 3 can get those lights he wants on Charles street if he makes haste in the coming week. He could undoubtedly see the Mayor and make all the necessary arrangements to have his lights in the West End of Boston. We are not here acting solely for the district we represent. We are here to battle for the entire City of Boston. That is our job; our job is to do the most good for all the people of the city; and as the traffic investigator said, these are the most hazardous corners where lights should be given. According to that list, there are no lights to come to Ward 6, which I represent. We need them over there just as badly as any other section of the city; but let us make a start here and this is a good time for us to begin. The Mayor appreciates the need for traffic lights and he will undoubtedly, in a short time, make up a plan whereby we will all get traffic lights. Let us pass this order and enable him to begin the work he intends to do at the present time.

Coun. TAYLOR—Mr. President, there is no question in my mind that there is a crying need over the entire City of Boston for traffic lights. I am going on record as voting for this order, because there must be a start made somewhere, if we are ever going to get any safety for the people that live in the City of Boston. Now in my own district we made an appeal to the Traffic Commissioner and to the Mayor of Boston for traffic lights at a particular intersection where there had been a great many accidents during the past year, and lo and behold, on this very list I find an intersection in our ward that is said to be well lighted, that the people of our district are not interested in at all. Nevertheless, if the Traffic Commissioner feels that here is where we need to make a start, I do not want to be the first one to oppose them. We have traffic hazards in the streets of our city and we need more money for traffic lights throughout the entire district. This \$11,000 is only a small amount to start with. We need a great deal more money than that. This Council has appropriated \$25,000 for a Municipal Survey. I do not know how much good that survey is going to do the city; but I do know that, at least in the particular of lights, if that money, together with other money, is given toward traffic lights, to assist in the safety of our people and our children, it will be worth it. I know that that money would do a lot more good than money put into a foolish expenditure, as I call it. The trouble does not lie in the Traffic Commissioner's office. I think they are trying to do a good job there.

I think this Council, although we have no power to appropriate, should recommend to the Mayor that we need money to spend for the safety of our people. Let us not oppose this order here, because if we do oppose it, it will discourage the appropriation of any further money for a worthy cause; and that is why I am going on record, even though that order does not benefit my particular district, as voting for the order.

Coun. HUTCHINSON—Mr. President, I am going to vote against the order. I know that I have asked to have traffic signals at the corner of Dorchester avenue and Savin Hill avenue and that is one of the worst spots in the City of Boston. They admit that there are more accidents there than at some of the places they have listed, and yet they have left the corner of Savin Hill avenue and Dorchester avenue off. Therefore I am going to vote against the order.

Coun. CAREY—Mr. President, I talked with Mr. O'Connor in reference to traffic lights and he admitted to me that the intersection at Brigham Circle in Ward 10 is one of the worst in the City of Boston. In the past three years there have been three deaths there, not to mention other accidents that have taken place at that intersection. I feel that I must vote against this order, not that I want to do it on account of selfish motives, but I do feel that this money has been dragged up here as a result of an order that I introduced here in this Council a few weeks ago, and that, in cooperation with the Mayor's office, we are going to get further money. Therefore, I feel inclined to vote against this order now and I shall feel that way from now on, until such time as additional money is appropriated to take care of this very dangerous intersection.

Coun. GALVIN—Charlestown has suffered from the effects of speeding through the streets as much as any section of the City of Boston. The Legislature passed a bill in 1930 allowing the City of Boston to borrow \$250,000 for a municipal building. And since then I have voted that money be spent in other appropriations throughout the entire city. At this time Charlestown is protected by one traffic light which we have for vehicles and cars coming in at one side. At this time I feel as though the City Council could put in one set of traffic lights in Charlestown, returning to it, in that way, a part of the money it has taken from the district in the past. I am in favor of the order.

Coun. KELLY—Mr. President, I am going to vote against the order because, in the executive session, I asked Mr. O'Connor how he drew up the list and where he would put the lights, and he said that those corners were the intersections where the most accidents occurred. Now Savin Hill avenue and Dorchester avenue, half in my ward and half in Councilor Hutchinson's ward, had fifteen accidents, and he has two corners there in his list where only fourteen accidents occurred. So that when he drew up that list as the corners where the most accidents happened, he saw fit to leave off Savin Hill avenue and Dorchester avenue in Ward 13 where fifteen accidents happened, and therefore I am going to vote against it. I have always voted, not according to the needs of my ward, but according to the needs of all the people of Boston. I do not think it will remedy the trouble, and I shall vote against it.

Coun. WILSON—Mr. President, I take the same attitude as the gentleman from the adjacent ward. I do not consider it is a question of selfishness at all. I disagree with the list on two grounds. In the first place, I do not admit that the worst traffic intersections in the city are those at which there have been the largest number of accidents. That may well be a result of the fact that at some of these very dangerous intersections, I have urged that traffic lights should be installed, but where, in lieu of lights, there has been a police officer stationed; and I do not believe it is a true test of traffic congestion or a true test of whether or not traffic lights are needed at any of these locations, to be based on a race between the local residents in any section of the city to see how many people can get hurt. I assume that the worst corner in Boston, and the worst even before the installation of traffic lights, was the corner of Washington and Summer streets, and I have yet to see an accident at that particular location, because it has always had adequate police protection; and the mere fact that Corner A in Ward B in the City of Boston has had twenty-nine accidents, which were perhaps due to want of police protection, does not

necessarily prove that it is anywhere near as dangerous as some other sections in the city. I hope that all of the members of the Council who are voting in favor of this particular order will not be disappointed because they find that some location in their particular ward is among the first five on the list that was read to us where the number of accidents has been very excessive, for the reason that later on, when we read the report of the Traffic Commissioner, he made the statement that, despite the fact that the heaviest number of accidents has been at these ten locations, he also thought that it would be a good idea to utilize the traffic light money on Old Colony Boulevard adjacent to the recently constructed Old Harbor Village, where that has been erected in the South Boston district. So that I hope that, when some members of the Council who, in a generous moment, vote for this particular transfer of funds on the theory that their locations are included in this list, will not be disappointed when the entire \$11,000 is diverted from the West End of Boston to the Old Colony Boulevard.

Coun. AGNEW—I am in the class that this last councilor mentioned because, in my ward, there is on that list he mentioned a couple of locations that are considered very, very dangerous; but I am not in agreement with the locations that are mentioned because I recall—and I do not know that it has ever been stated by any other councilor here—when the previous Mayor's office was visited probably by seventy-five people from my district from one of the most dangerous sections of Boston, and their reasons for the visit was that they wanted traffic lights in that ward, at a place that is very well known to every councilor, up there on Beacon street, between the bridge and Audubon Circle, which is a mad race track. For the last three or four years the people in that district have been trying and trying, through the press and the Mayor's office, asking that traffic lights be placed there to stop the accidents. Now I do not agree with the opinion of the Traffic Commissioner when he does not place that particular location on his list as being of great danger. There is another corner mentioned in the list instead. However, I am not going to say to the people of my district or to the people of Boston, "Take care of one place first and another place second." We are not able to do that and, even if we were to turn down this particular appropriation and say, "We do not want this \$11,000, no matter how you are going to spend it"; then the Mayor would be justified in saying to the twenty-two councilors sitting here that, "I will grant no money for any traffic lights at all for the time being." We have seen that very thing done in the last four years during the term of Mayor Mansfield when he refused to grant any money for traffic lights for any part of Boston. The present Mayor is attempting to do something, however small and however unsatisfactory to some of us, and I think it is our duty to go along with the Mayor and accept this \$11,000 to be expended in a way that is most fitting in either his own judgment or in the judgment of the Traffic Commissioner. Let us accept this recommendation of the Mayor's and I am sure that when he has taken this step forward, to put in traffic lights at these bad locations, that he will then take another step forward and put in additional traffic lights in other sections of Boston.

Coun. P. A. MURRAY—Mr. President, I heard the speaker from the Back Bay say that he was going to vote for this order. I do not blame him. We have passed orders appropriating \$130,000 for traffic lights in the Back Bay section of the city, and we have lights in other sections of the city. Something has been said about voting for the interests of the whole people of Boston, but we all have to remember our own wards. Out in my section of the city there is one of the worst intersections in the whole city and I think some of the old councilors know it. It is that intersection of Centre street, Moraine street and South Huntington avenue. We have tried to get lights out there and they put in flash lights at that corner finally. I could not find it on Mr. O'Connor's list. It cost the City of Boston \$1,800 to place those flash lights there and still they do not know what to do with them. On Sunday in all the churches in my district, both Catholic and Protestant, they spoke about traffic conditions there at that intersection, with a school on one corner and a church on the other; and you have to climb four hills to reach the corner where they want the lights. They would all speed up

that hill and going down one of the streets on the other side. I think if they want lights anywhere in Boston they should put them in the sections where there are schools and there we have the Mary E. Curley School and the St. Francis Xavier School, right near that intersection in my district.

Coun. SULLIVAN—Mr. President, I think probably the man that is most interested in the welfare of his district is the councilor. He hears from all the people in the district and so he is probably pretty well advised with reference to what is going on there. He knows the background of the situation in regard to traffic congestion and in regard to the traffic lights in his own section, I take it. If one of the councilors gets up and tells us that, in his ward, there is no need of lights in the intersection where they are proposed to be placed, but there is another section in his ward in which the lights may be necessary, if I felt that the lights were more needed in the place that the councilor recommended rather than the place that Mr. O'Connor has listed in his report, I would be very apt to vote for the lights where the councilor wanted them. And because of that and because I feel that we should support what the other councilors believe is best for their district, I shall vote against it.

Coun. FITZGERALD—Mr. President, I think the councilor who has just spoken is correct, and the councilor from Dorchester, who has not definitely stated whether he is in favor of this order or not, but I think he is against it, and my opinion is against it as I can see all or most of this money is going to go to Old Harbor Village. There are a lot of accidents on Old Colony Boulevard; but I want to say that on Charles street there are four police officers on duty from eight in the morning to one o'clock, to look after the safety and the lives of the people of the district. Now if those men were placed on the streets, or placed on routes, they would be far more valuable and doing work that would be far superior to what they are doing today. Taking them away from this type of work and putting them where they will be useful, when you figure out the amount of their salaries and the cost of the traffic lights, I do not think there is any comparison between them. If any engineer or any traffic head can tell me or tell anybody that is interested in it, what the advantage is in having those men there, I would be glad to hear it. And why those people should have made a mistake like that, with all those accidents happening there in that section, I do not understand. Everybody knows that those officers there on Charles street are only recent, and if there is any common sense in it, I would like to know who drew up this list and, in my opinion, he is incompetent and should be removed. I should like to know if he is a product of Technology or what he is, or what school he came from and what his experience is in such matters. We had Peacock, or whatever his name is, who spent a couple of hundred thousand dollars in order to give us a few pages to read over; and what good did it do? We do not have to have all this foolishness; but to pass over a project like that in Charles street, with all those accidents, to put in the lights in all these other places, I could not in justice to the people who sent me here, vote that it be done; and Councilor Wilson is exactly right in saying that the money is going to Old Harbor Village.

Coun. LYONS—Mr. President, I happen to represent a ward that is practically all residential. The two main arteries that run out of Boston run through Roslindale and West Roxbury. I am sort of opposed against the passage of this order, because my ward is not in it. Ward 20 was not mentioned in it, but out through Ward 20 there are just as many deaths and just as many accidents as in any other part of Boston. I do not believe the Traffic Commission are really doing the job as a traffic commission should act. I agree with the councilor from South Boston that we are here to work for all the people of Boston. I am going to work for the people of Boston, and at the same time protect the people of my ward. If this order is passed, then the next order you would get would probably be about four or five years from now, and there will be quite a few deaths added to the present list. I would like to make a motion, after hearing what was said about appropriating more money for traffic lights, for the Chair to appoint a committee to wait on the Mayor to see if he would appropriate some more money in behalf of installing traffic lights not only in my own section, but in any sections

where they need them. And then I think I will vote in favor of the bill or order, when this is done.

The question came on the passage of the order. The roll was called, and the order failed of passage, yeas 9, nays 9:

Yeas—Coun. Agnew, Englert, Fish, Galvin, Harris, Kerrigan, George A. Murray, Shattuck, Taylor—9.

Nays—Coun. Carey, Chase, Fitzgerald, Hutchinson, Kelly, Lyons, Peter A. Murray, Sullivan, Wilson—9.

Coun. AGNEW—Mr. President, I move reconsideration of that vote and will then ask that it be assigned to the next meeting.

Coun. FITZGERALD—Mr. President, I hope this matter will not be reconsidered. The Mayor should send in a new order here and should embody in it his opinion of whether, in the amount of money that is going to be appropriated, it cannot be found possible to put in all those traffic lights that we need so badly. I do not believe the matter should be reconsidered.

President KERRIGAN—The question comes on reconsideration.

The roll was called, with the following result: Yeas—Coun. Agnew, Englert, Fish, Galvin, Harris, Kerrigan, George A. Murray, Shattuck, Taylor—9.

Nays—Coun. Carey, Chase, Fitzgerald, Hutchinson, Kelly, Lyons, Peter A. Murray, Sullivan, Wilson—9.

President KERRIGAN—Nine have voted affirmatively and nine negatively, and reconsideration is refused.

4. Report on message of Mayor and ordinance (referred today) that chapter 30 of Revised Ordinances of 1925 be amended in section 20 by striking out in line 3 the word "Thursday" and inserting in place thereof the word "Tuesday"—that same ought to pass.

Report accepted; said ordinance passed.

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

Ellen F. Carney, St. Mary's Hall, June 30; Florence Hamilton, Highland Hall, June 24; Martha Biegelman, Peabody Playhouse, June 19; Dorothy Oliver Plassue, Jordan Hall, June 15; Ann M. Devine, Whiton Hall, June 10; Adrienne K. Leeman, Peabody Playhouse, June 11; Katherine E. Fay, South Boston Municipal Building, June 10; Ethel M. Gegan, Whiton Hall, June 27; Rita M. Harrison, Roslindale Municipal Building, June 20—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

PAYMENT OF TYPIST WELFARE RECIPIENTS.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to instruct Major Whitcomb and the Overseers of the Public Welfare to arrange to pay the same rate of wages to those welfare recipients, or the sons and daughters of welfare recipients, who are being employed as typists in city departments, as is now being paid other typists in these same departments.

Coun. CAREY—Mr. President, I do not think the City Council of Boston desires to go on record, in regard to the action of Manager Whitcomb of the Municipal Survey, as I am informed, or any department, in putting \$15 a week recipients of public welfare, or their sons and daughters to work, or that requirement having anything to do with their working in the city departments, at other salaries. I think it is certainly most embarrassing for a young lady or young man whose parents are on the welfare, unfortunately, to be brought into any city department as a typist at \$15 a week, working side by side with other typists who are receiving \$75 a month and up. I do not know that the city is in any financial position to warrant paying them some of these older typists' salaries; and by that I mean the salaries of typists who have been in the city service for years; but I do think that, with carfares and money for food and clothes, that these people must get in order to go to work for five days a week, they are certainly deserving of more than \$1.80 recompense, as is the case where we have a family of five receiving \$13.90, and the typist receives \$15 a week; otherwise their pay is only \$1.80. I do not want to have it felt that I am battling these con-

tractors who do this work ordinarily; but from what I have heard of complaints coming back to me of their sweatshop methods, I have left the field to them as they come; but I do feel that this is a splendid opportunity to put these people to work in the right way, and if they are going to work in the city departments as typists, let us not put that stigma of public welfare on them, but let us put them to work on the same basis as the other typists in the various departments.

The order was passed under suspension of the rule.

INFORMATION RE W. P. A. APPLICANTS.

Coun. CAREY offered the following:

Ordered, That the Acting Director of Public Welfare be requested, through his Honor the Mayor, to inform the City Council as to the procedure now being followed in the matter of investigating applicants for W. P. A. work, together with any suggestions he may have for speeding up these investigations.

Coun. CAREY—Mr. President, that order is similar to one that has been introduced, not only by me but by other councilors, more or less, in the last three or four months. We are still being questioned, day and night, by people in the street and in our homes, who tell us that they have applied for work a month or five weeks or two months ago, and they have not been even certified for work. As I understand it, there are from 2,000 to 4,000 men being put to work on W. P. A. projects, provided they are certified, and unless they are certified, they cannot go to work. I think we ought to have some action taken on the part of the Public Welfare officials as to what the trouble is and what can be done to speed up this matter.

The order was passed under suspension of the rule.

ELECTRIC LIGHTS ON GROVE STREET, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to replace all gas lamps on Grove street, Ward 20, from Washington street to the Dedham line, with modern electric lights.

Passed under suspension of the rule.

RESURFACING OF WARD 20 STREETS.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 20 under the W. P. A. plan of construction: Knoll street, from Walter to Selwyn streets; Colberg avenue, Symmes street, Crest street.

Passed under suspension of the rule.

USE OF MOZART SCHOOL YARD AS PLAYGROUND.

Coun. LYONS offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to open up the yard of the Mozart School as a playground for the young children of the district during the summer season.

Passed under suspension of the rule.

SIDEWALKS ON SYMMES STREET, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install artificial stone sidewalks on Symmes street, Ward 20, under the W. P. A. plan of construction.

Passed under suspension of the rule.

STAIRWAY BETWEEN UPLAND AND
DUNBOY STREETS.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a stairway between Upland street and Dunboy street, Ward 22, under the present W. P. A. plan of construction.

Passed under suspension of the rule.

CONSTRUCTION OF WARD 22 STREETS.

Coun. SULLIVAN offered the following:

Ordered, That the Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Rena street, Upland road, Brayton way and Brayton road, Ward 22, under the W. P. A. plan of construction.

Passed under suspension of the rule.

VACATIONS DURING AMERICAN LEGION
CONVENTION.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor consider the advisability of allowing all city employees who desire to take their vacation during the American Legion Convention in September, be given first preference.

Passed under suspension of the rule.

EXTENSION OF FIVE-CENT FARE ZONE.

Coun. CAREY and CHASE offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to extend the five-cent fare zone on the Huntington avenue line from Brigham Circle to the entrance to the subway at Arlington street.

Passed under suspension of the rule.

RESURFACING OF WARD 4 STREETS.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 4 under the W. P. A. plan of construction:

Burbank street, from Massachusetts avenue to Hemenway street, Norway street, from Hemenway street to Edgerly road; Dalton street, from Falmouth to Scotia streets.

Passed under suspension of the rule.

ALTERNATE SATURDAYS FOR HOSPITAL
EMPLOYEES.

Coun. WILSON, CAREY and IRWIN offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to allow employees of the hospital alternate Saturdays off during the summer season.

Passed under suspension of the rule.

COST OF INSTALLING INCINERATORS.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council as to the estimated cost of installing incinerators in Boston in sufficient numbers to properly and adequately take care of garbage and refuse disposal throughout the city, such report to be made by the Public Works Commissioner after consideration of memoranda on the subject filed with the City Council by the Department of Public Works on November 4, 1926.

Passed under suspension of the rule.

CHANGES IN METHOD OF GARBAGE
COLLECTION.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council what changes, if any, have been made from the arrangement existing in 1926, at which time city forces handled garbage and rubbish collections in the Back Bay, the North, South, and West Ends, Charlestown, South Boston and Roxbury, and contractors attempted to take care of East Boston, Brighton, West Roxbury, Hyde Park and Dorchester.

Passed under suspension of the rule.

USE OF REDUCTION PROCESS OF
GARBAGE.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council whether the City of Boston still makes use of the so-called reduction process of garbage disposal, except in the East Boston, Brighton, West Roxbury and Hyde Park districts, as was the method in 1926.

Passed under suspension of the rule.

INFORMATION RE COLEMAN
CONTRACT.

Coun. WILSON offered the following:

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

1. The expiration date of the present Coleman disposal contract.

2. The location of the districts now included in the Coleman contract as to (a) garbage, (b) rubbish.

3. The location of the districts *not* now included in the Coleman contract.

4. The annual costs of disposal under the existing Coleman contract.

5. Whether all garbage, except that collected by city forces and by the Dorchester district contractor, is still carted away and sold to farmers for feeding to hogs.

6. The location of all dump locations within the limits of the City of Boston where dumping, either by city forces or contractors, is now permitted.

Coun. WILSON—Mr. President, those orders, which are rather detailed, are introduced at the present time for the purpose of obtaining what I feel is rather valuable information. On the 24th of June, 1929, following orders on August 2, 1926, November 8, 1926, May 9, 1927, and March 26, 1928, I introduced an order in the City Council on the subject of bringing the City of Boston into line with most of the other great cities of this country on the question of more modern and sanitary disposal of garbage and rubbish. The principle of these requests was that, although the then existing Coleman garbage and rubbish disposal contract did not run out until 1932, that the contract only included certain districts of the city, and that the subject might therefore very well be considered in the other sections of the city prior to 1932. Studies of the particular question of incineration were made by the city officially in 1908, in 1910, in 1921 and especially in 1923, when the George A. Johnson Company, consulting engineers of New York City, made a full report at a cost to the city of \$20,000. The report found that the present collection system was costly, unsanitary and unsatisfactory; that the dumps were a health menace, harmful to land values and in a deplorable state; and that Spectacle Island could not be operated at a profit to the contractor without creating a nuisance there. The survey characterized the so-called Arnold method of garbage reduction as "archaic." The Johnson report further advocated that the incinerators should be owned by the city but operated by private agents under a franchise. The estimated cost of eight incinerators with power plants in 1923 was \$3,278,695. On November 4, 1926, the Public Works Commissioner estimated that seven incinerators would be necessary at a total cost of \$4,000,000, and the price ranged from \$335,000 in East Boston and Brighton and in Hyde Park, to \$875,000 in South Boston, the

Back Bay and the South End. The Johnson report, I well recall, in 1923 estimated that incineration would unquestionably result in a net annual saving to the City of Boston for the collection and disposal of garbage and rubbish, well in excess of half a million dollars. Now I have two matters in mind, Mr. President, at the present time. The first is that if any steps along the line of incineration are to be taken, I again urge that the project be considered and the matter disposed of before the Coleman disposal contract is again up for consideration; and I have in mind that, if the United States Government is investing money in the City of Boston to the tune of over \$4,000,000, for example, for the extension of the subway and construction of the underpass at Huntington avenue, and if these P. W. A. and W. P. A. projects are to continue, it occurs to me that such an expenditure as will result in an annual saving to the City of Boston of over half a million dollars a year should be one of those considered. And it is with that in mind that I have offered these orders today, requesting information on that particular project, and, at a later date and time, I shall ask that a committee of the Council be appointed to take up this question of incineration in the City of Boston.

The orders were passed under suspension of the rule.

RENTALS FOR CITY DEPARTMENT OFFICES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, after inquiries of city department heads, advise the City Council the amount of rentals paid for offices for city departments each year during the period from 1927 to 1937, inclusive.

Passed under suspension of the rule.

RECODIFICATION OF STATUTES.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to advise the City Council how near completion is the recodification of the statutes relating to the City of Boston, which was originally authorized following an appropriation of \$20,000 by the City Council on June 14, 1936.

Passed under suspension of the rule.

REPORT OF FINANCE COMMISSION ON EXPENDITURE FOR W. P. A. PROJECTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be respectfully requested to furnish the City Council with a copy of the recent message from the Finance Commission relating to City of Boston expenditures for W. P. A. projects.

Coun. WILSON—Mr. President, I trust that this order will not unduly embarrass the Mayor and, with the consent of the Finance Commission, he can furnish us that information. I think it is rather material for us to know just what is the expense to the City of Boston of these projects; and I regret to state that apparently the only information along those lines that can be supplied from the local head is the suggestion that the information can be obtained in Washington. So that if the Finance Commission has sent through anything in the line of helpful figures, I trust that the Mayor will find it possible to make them public.

The order was passed under suspension of the rule.

HANDBALL COURT, BOYS' BATH HOUSE, L STREET.

Coun. KERRIGAN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to install a handball court in the boys' bath house at L street.

Passed under suspension of the rule.

RESURFACING OF STREETS, WARDS 6 AND 7.

Coun. KERRIGAN and MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement the following streets in Wards 6 and 7, under the W. P. A. plan of construction: Gold street, East Sixth street, Dorchester avenue.

Passed under suspension of the rule.

AUTOMATIC TRAFFIC SIGNALS, WARD 7.

Coun. KERRIGAN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the following intersections in Ward 7:

Plebe street and Old Colony avenue, Andrew square, Columbus Circle, Dr. Michael Gavin way and Old Colony avenue, Gen. Lawrence J. Logan way and Old Colony avenue.

Passed under suspension of the rule.

RESURFACING OF WARD 7 STREETS.

Coun. KERRIGAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement the following streets in Ward 7, under the W. P. A. plan of construction:

Knowlton street, Hatch street, Covington street, Dixfield street, Harvest street, Gustin street, Mitchell street, Newman street, Green-halge street, Alger street, West Ninth street.

Passed under suspension of the rule.

RESANDING OF SAVIN HILL BEACH.

Coun. HUTCHINSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to resand Savin Hill Beach, Ward 13.

Passed under suspension of the rule.

RESURFACING OF STANWOOD TERRACE, WARD 14.

Coun. KELLY, for Coun. Rosenberg, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Stanwood terrace, Ward 14, under the present W. P. A. plan of construction.

Passed under suspension of the rule.

FIVE-DAY WEEK FOR HOSPITAL EMPLOYEES.

Coun. KELLY, for Coun. Rosenberg, offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to place the clerical force of the Boston City Hospital on a five-day week during the summer months in conformance with the program now in force for other city employees.

Passed under suspension of the rule.

OPENINGS IN STREETS.

Coun. PETER A. MURRAY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, not to issue any permit to any public service corporation to make an opening in a street within one year after its construction.

Coun. P. A. MURRAY—Mr. President, I do not know whether it is in effect now or not, but

I think there is an ordinance that any public utility, whether electric light or gas or telephone, shall not open up a street that has been resurfaced. They are notified in advance that the street is going to be reconstructed and given an opportunity to make their repairs before the streets are finished. I saw a street the other week where it was opened up within ten minutes or two days or a week, I forget which, but they broke up two streets just after they had been reconstructed; and I think we should stop these public utilities from going into a street that we have rebuilt in less than a year's time to break it open to put in their pipes.

The order was passed under suspension of the rule.

NAMING OF TRAFFIC CIRCLE.

Coun. ENGLERT and PETER A. MURRAY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to name the new traffic circle now being constructed on Morton street, near the Forest Hills Hospital, the Michael J. O'Connell Circle, in honor of said O'Connell who was killed in the World War.

Passed under suspension of the rule.

Adjourned, on motion of Coun. WILSON, at 5.10 p. m., to meet on Monday, June 27, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 27, 1938.

Regular meeting of City Council held in Faneuil Hall at two p. m., President KER-RIGAN presiding. Absent, Coun. Fish, Harris, George A. Murray, Norton, Shattuck.

APPOINTMENT BY THE MAYOR.

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

Weighter of Coal: Martha White, 2 Page street, Dorchester, Mass.

Laid over a week under the law.

DUMPING AT WASHINGTON AND BEECH STREETS.

The following was received:

City of Boston,

Office of the Mayor, June 27, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your order of June 6, 1938, concerning the dumping on the land at the corner of Washington and Beech streets, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,

Health Department, June 13, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Your communication of June 8, 1938, transmitting to this department City Council order of June 6, 1938, and reading as follows:

"Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to take immediate steps to prevent further dumping on the land at the corner of Washington and Beech streets, Ward 20, as said dump constitutes both a health and fire menace to residents and property in the immediate vicinity of same",

has been received and acted upon by the Housing and Sanitation Division of this department.

Under date of June 8, 1938, I forwarded a letter to Thomas B. Fitzpatrick, secretary, Roslindale Board of Trade, 20 Belgrade avenue, Roslindale, regarding this dump, and as it fully covers the matter, I am submitting it as an answer to the above-quoted City Council order:

"In reply to your letters of May 27, 1938, to his Honor the Mayor and to the Health Commissioner, with a petition signed by Arthur Schneider and others regarding the dump at the corner of Beech and Washington streets, Roslindale:

"This lot is licensed by the Health Department for use as a public dump, but no dumping has been done since December, 1937, except for materials illegally deposited on the land.

"I have personally inspected this dump and found it in good condition and, in my opinion, the filling of this land has resulted in a decided improvement by eliminating a part of the wet area covering the lot. The wet and swampy land still remaining should be filled in to complete the improvement.

"No rats were noted at the time of my inspection, but I understand that the contractor controlling this dump is taking measures to keep down the rat breeding.

"I conferred with District Chief Donahue of the Fire Department, inspected his records and found that the Fire Department was called to this dump only four times since January 1, 1938. These calls were found to concern smoke issuing from the dump and causing disagreeable odors. The district chief tells me that he has no fault to find with the dump. In his opinion, this dump has always been conducted in a proper manner.

"The filling in of this land has progressed so that the dumping area is removed from close proximity to dwellings, and further dumping will carry the face of the dump away from such dwellings.

"While the dumping of city refuse has been temporarily discontinued, I can see no reason for this department revoking the permit or acting to stop dumping if it becomes necessary to use it at some later date. I will, of course, instruct my inspectors to keep this location under close observation and see that proper conditions are maintained."

"Please note that the dump has not been in use since December, 1937, by the contractors engaged in the collection of the city wastes.

"Under the present methods of collection and disposal of ashes and rubbish, these inland dumps are a necessity for the final disposition of the approximately 1,500,000 cubic yards collected yearly, and proper locations are increasingly difficult to find. The wet and swampy land at Beech and Washington streets is well adapted for the purpose, and the final result will be the elimination of the mosquito breeding nuisance and the production of usable land.

Respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

LICENSE TO JAMAICA PLAIN NEIGHBORHOOD HOUSE.

The following was received:

City of Boston,

Office of the Mayor, June 27, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 24, 1938, concerning the granting of a license to the Jamaica Plain Neighborhood House Association.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department, June 9, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Mr. Mayor,—Under date of May 24 there was an order passed in the City Council reading as follows:

"Ordered, That the Commissioner of Public Works be, and hereby is authorized, for a nominal fee, to grant a license, upon such conditions as he may consider advisable, to the Jamaica Plain Neighborhood House Association to use, for the purposes of a playground for small children, so much of the land of the City of Boston over the Stony brook conduit as abuts on the northeasterly side of the property of said association located at 276 Amory street, Jamaica Plain."

I have made a personal investigation of the property in question and find that the Neighborhood House Association desires to move over their fence approximately six feet into a driveway now used by Wallace MacNeill, of 264 Amory street, and if this order were carried out it would narrow the driveway down to such an extent that Mr. MacNeill would be unable to use two garages on his land.

I therefore state that I do not believe it would be for the best interests of the city to carry out this order, inasmuch as I understand there would be a law suit against the city on account of the loss of revenue from rentals to Wallace MacNeill.

Respectfully yours,
E. M. RICHARDSON,
Commissioner of Public Works.
Placed on file.

REMOVAL OF RAGWEED.

The following was received:
City of Boston,
Office of the Mayor, June 27, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of May 24, 1938, concerning the removal of ragweed from the highways and parkways of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, June 9, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am in receipt of memorandum from Chief Clerk William T. Doyle with inclosure, order from the City Council relative to removal of ragweed from the highways and parkways of Boston, etc.

Please be informed that to the best of my knowledge and belief there is no ragweed on the parkways of Boston.

I regret to inform you the department has no funds or employees available for the removal of ragweed from the highways of the city.

Respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

COLLECTION OF GARBAGE FROM BOSTON HOME FOR INCURABLES.

The following was received:
City of Boston,
Office of the Mayor, June 27, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your order of June 6, 1938, concerning the collection of garbage from the Boston Home for Incurables.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, June 13, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Your memorandum of June 8, 1938, transmitting to this department City Council order of June 6, 1938, reading as follows:

"Ordered, That his Honor the Mayor be requested to authorize the Board of Health to permit continued garbage collection from the Boston Home for Incurables in the satisfactory and sanitary manner followed during the past seven years",

is at hand.

In the opinion of the Public Works Commissioner, the collecting of garbage by private individuals in the contract district interferes with the contractual relations between the City of Boston and the contractor. The Public Works Commissioner has requested the Health Department to refuse permits under such conditions.

Under the circumstances, I would not care to issue a permit for the collection of garbage at the Boston Home for Incurables to a private individual without an opinion from the Corporation Counsel that such action would not cause legal complications under the collection contracts of the Public Works Department.

Respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

ACCEPTANCE OF CHAPTER 398 RE BOSTON ELEVATED.

The following was received:
City of Boston,
Office of the Mayor, June 27, 1938.
To the City Council.

Gentlemen,—I herewith submit an order for the acceptance of chapter 398 of the Acts of 1938, entitled "An act providing for modification of the terms and conditions under which the Boston Elevated Railway Company has been granted the use of certain subway premises and equipment and making certain changes relative to payments in connection with such use."

This act amends previous statutes relative to the date of rental payments to the city by the Boston Elevated Railway Company for use of the Huntington Avenue Subway, and it authorizes the making of a new contract between the City and the Company. In my opinion the acceptance of this act will clear up a matter needing adjustment and I recommend passage of the accompanying order.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Transit Department, June 23, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—This department is in receipt of notice from the Secretary of the Commonwealth that chapter 398 of the Acts of the year 1938, entitled, "An act providing for modification of the terms and conditions under which the Boston Elevated Railway Company has been granted the use of certain subway premises and equipment and making certain changes relative to payments in connection with such use," was approved by his Excellency the Governor on June 7, 1938.

This act is an amendment of section 7 of part II of chapter 366 of the Acts of 1933 as affected by chapter 159 of the Acts of 1937.

Chapter 366 of the Acts of 1933, above referred to, authorizing the construction and equipment of the Huntington Avenue Subway, provided for annual rental payments by the Boston Elevated Railway Company on the twenty-fifth day of July, and the contract between the City and the Company for the sole and exclusive use by the company of the premises and equipment of the Huntington Avenue Subway contained this same provision. At the time of the execution of this contract the City of Boston tax year was April first.

In view of the change in the Boston tax rate year from April first to January first, it became necessary to move forward the annual date of rental payment by the Boston Elevated Railway Company to the twenty-fifth day of April in place of the twenty-fifth day of July as heretofore provided.

The acceptance of this act, chapter 398 of the Acts of 1938, constitutes an agreement on the part of the City and the Boston Elevated Railway Company to execute a contract modifying, in accordance with the provisions of this act, the existing contract between the City and the Company for the use by the company of the premises and equipment of the Huntington Avenue Subway.

The first requirement of the act relating to its effectiveness provides for its acceptance both by vote of the City Council and by approval of your Honor and by the filing of a certificate of such acceptance and approval with the State Secretary during the current year.

This department respectfully forwards herewith a photostatic copy of the act.

Respectfully yours,
T. F. SULLIVAN, Chairman.

Ordered, That chapter 398 of the Acts of 1938, entitled, "An Act Providing for modification of the Terms and Conditions Under Which the Boston Elevated Railway Company Has Been Granted the Use of Certain Subway Premises and Equipment and Making Certain Changes Relative to Payments in Connection With Such Use," be, and hereby is, accepted. Referred to Executive Committee.

PROPOSED SEWER PROJECT.

The following was received:

City of Boston,

Office of the Mayor, June 27, 1938.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the Commissioner of Public Works with reference to a proposed sewer project to be constructed with P. W. A. funds. It is planned that the contribution of the city toward the expense of this project shall be secured from the proceeds of the general loan already authorized for sewerage works. Under this arrangement no additional expense will be imposed on the city through the carrying forward of the proposed project. I submit herewith an order authorizing the city to engage in the project and respectfully recommend its adoption by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department, June 27, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Mr. Mayor,—I respectfully request permission to construct a 6-foot by 6-foot concrete sewer overflow, to run in Central Wharf, from Atlantic avenue to the sea wall, a distance of approximately 650 feet under a P. W. A. grant.

The present overflow is a 4-foot by 5-foot wooden structure, which has collapsed in several places, thereby blocking the overflow and constituting a hazard to the present Central street sewer because of the danger of backing up into the basements of the buildings.

This project is absolutely necessary and I recommend that it be constructed under a P. W. A. grant rather than a W. P. A. grant, because of the dangerous type of work involved in its construction. The cost will be approximately \$75,000, 45 per cent of which will be granted to the city under the new P. W. A. regulations.

Respectfully yours,

GEORGE G. HYLAND,

Commissioner of Public Works.

Ordered, That in accordance with the provisions of section 2, 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 following Public Works project:

Construction of concrete sewer overflow in Central Wharf, from Atlantic avenue to the sea wall, a distance of approximately 650 feet, at an estimated cost of \$75,000, said cost in so far as the city's share is concerned, to be met from the proceeds of a loan already authorized for sewerage works.

Referred to the Executive Committee.

EXCURSIONS UNDER RANDIDGE FUND.

The following was received:

City of Boston,

Office of the Mayor, June 27, 1938.

To the City Council.

Gentlemen,—I am in receipt of the attached communication from the chairman of the Board of Park Commissioners requesting an appropriation of \$5,000 for transportation and incidental expenses in connection with excursions to be arranged under the Randidge Fund for children in the various sections of the city. In accordance with this request I submit the attached order providing for the furnishing of the required amount from the Contingent Fund, and respectfully recommend adoption of this order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Park Department, June 21, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Sir,—You are respectfully informed 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, said sum to be charged to Contingent Fund.

This is the usual request of \$5,000 which is made each year for the Randidge Fund excursions, which begin on July 1 and end on August 31.

The following is a copy of the order which has been presented each year to the City Council:

"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 transportation 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 Contingent Fund."

Very respectfully yours,
WILLIAM P. LONG, Chairman.

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 transportation 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 Contingent Fund.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, June 27, 1938.

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,

MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Building Department:

From the appropriation for B, Contractual Services, \$6.96, to the appropriation for C, Equipment, \$5; E. Materials, \$1.96.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Central Office:

From the appropriation for B, Contractual Services, \$150, to the appropriation for D, Supplies, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Child Welfare Division:

From the appropriation for B, Contractual Services, \$150, to the appropriation for D, Supplies, \$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, City of Boston:

From the appropriation for A, Personal Service, \$150, to the appropriation for C, 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 appropriation for Municipal Court, Brighton District:

From the appropriation for D, Supplies, \$75, to the appropriation for C, Equipment, \$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 Collecting Department, Water Division:

From the appropriation for C, Equipment, \$4,650, to the appropriation for B, Contractual Services, \$4,050; D, Supplies, \$600.

Referred to Executive Committee.

EXCHANGE OF LAND ON CENTRE STREET.

The following was received:

City of Boston,
Office of the Mayor, June 27, 1938.
To the City Council.

Gentlemen,—I inclose herewith a letter from the Corporation Counsel and an order for the exchange of two small parcels of land on Centre street, between the City and the Home Savings Bank.

The letter explains the situation and I recommend the passage of the order.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, June 6, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Inclosed please find an order authorizing the conveyance of 992 square feet of land situated in that part of Boston called West Roxbury, in consideration of the payment to the City of Boston of ten dollars together with the conveyance of the fee of 1,080 square feet of land to the City of Boston. By a resolve and order of the Board of Street Commissioners of the City of Boston, approved by the Mayor of Boston on October 9, 1931, and recorded with Suffolk Deeds, Book 5289, page 163, Centre street, a street in that part of Boston called West Roxbury, was relocated. The relocation of Centre street worked as an abandonment of all that part of old Centre street which was not within the relocation. By the abandonment of old Centre street and a deed given by the Adams Nervine Asylum, the city acquired 992 square feet of land. This land is in front of a privately owned lot of land and prevents a ready access over this lot of land to Centre street.

I am informed that the city no longer needs the said 992 square feet of land for public purposes. Upon the last laying out of Centre street the city took no deeds of that part of the street amounting in area to 1,018 square feet, the said 1,018 square feet having been in old Centre street.

The Home Savings Bank, as the successor of Helene C. Cappuccio, claims to own the fee in the said 1,018 square feet subject to an easement for street purposes. The said bank is now willing to convey the fee of said 1,018 square feet to the City of Boston and at the same time pay the City of Boston ten dollars for the said 992 square feet. The said 992 square feet lie directly in front of private land and is of no use to the city as it now lies. If this matter meets with your approval, please have the inclosed order introduced in the City Council.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order approved by the Mayor of Boston on October 9, 1931, and recorded with Suffolk Deeds, Book 5289, page 163, relocated Centre street, a street situated in that part of Boston called West Roxbury; and

Whereas, By the said relocation of Centre street the fee of a portion of old Centre street before said relocation, containing about 992 square feet of land, as shown on a plan made by the Street Laying-Out Department of the City of Boston, dated June, 1938, is claimed by the City of Boston; and

Whereas, At the time of said relocation an easement was taken in about 1,018 square feet of land, as shown on said plan, which prior to the said taking was claimed by Helene C. Cappuccio; and

Whereas, The said 992 square feet of land is situated in front of a parcel of land now owned by the Home Savings Bank, the successors in title of the said Helene C. Cappuccio, and prevents a proper and complete use of the said parcel of land owned by the Home Savings Bank; and

Whereas, The said City of Boston no longer needs for public purposes the said 992 square feet of land; it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in consideration of ten dollars (\$10), paid by the said Home Savings Bank, to convey all the City of Boston's right, title and interest in and to the said 992 square feet of land by an instrument in writing satisfactory in form to the Law Department of the City of Boston; and it is hereby further

Ordered, That as a condition precedent to said conveyance, and as a further consideration therefor, the said Home Savings Bank shall convey to the City of Boston by an instrument in writing, satisfactory to the Law Department of the City of Boston, the fee in the said 1,018 square feet of land.

Referred to the Committee of Public Lands.

SALE OF LAND ON ST. THERESA AVENUE.

The following was received:

City of Boston,
Office of the Mayor, June 27, 1938.
To the City Council.

Gentlemen,—St. Theresa avenue, formerly Cottage avenue, was accepted and laid out as a public street in 1933. By the widening and straightening of the street lines, some three or four of the property owners who abutted on Cottage avenue are entirely or partially cut off from access to St. Theresa avenue by small residual portions of the land acquired by the city in connection with the laying out of the street, but which were not included within the street lines.

In the opinion of the Street Commissioners these remaining strips are not required for public purposes.

As the sale of these small parcels will be no disadvantage to the city, but will put the abutting owners in the same position in regard to access to the street as they were before the acceptance, I recommend the passage of the accompanying order.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That his Honor the Mayor be, and hereby is, authorized to convey by instruments satisfactory to the Law Department, all the city's right, title and interest in and to the land on St. Theresa avenue westerly of Churchill road, lying between the southerly line of St. Theresa avenue and the old lines of Cottage avenue, said conveyances to be made only to the owners of parcels of land formerly abutting on old Cottage avenue and cut off from access to St. Theresa avenue by said city land. Each parcel so conveyed to be bounded on the side or sides by lines at right angles to the street line of St. Theresa avenue and connecting in each case with the dividing line between lots. The consideration for each such parcel so conveyed to be the sum of twenty-five dollars.

Referred to the Committee of Public Lands.

ROBERT GOULD SHAW SCHOOL
IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, June 27, 1938.
To the Honorable the City Council.

Gentlemen,—On March 8, 1937, Hon. Frederick W. Mansfield, then Mayor of the City of Boston, submitted the following orders to your Honorable Body for consideration and passage:

“Ordered, That in accordance with the provisions of section 2, 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 following Public Works Project: Combination gymnasium and assembly hall in, and incidental additions to, the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, at an estimated cost of \$142,000.”

“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 one thousand dollars be, and hereby is, appropriated, to be expended, under the direction of the School Committee, for a combination gymnasium and assembly hall in, and incidental additions to, the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, 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 first order was passed by your Honorable Body on March 15, 1937, and approved by the then Mayor on March 17, 1937.

The second, or loan order, was given its second and final reading and passage by your Honorable Body on March 29, 1937, approved by the then Mayor on March 31, 1937. Thereafter, on February 7, 1938, a Federal grant not having been obtained in connection with the project referred to in said orders, the loan order was rescinded by your Honorable Body.

I have been advised by the School Committee that the approval of the Federal Government has now been obtained for a similar project based on a separate gymnasium and assembly hall in place of a combination gymnasium and assembly hall at the same estimated cost, and advising me that they desire to proceed with said project with the aid of Federal Funds.

The reasons for the requested passage of a loan order in the sum of \$1,000 are as follows:

1. Said loan order, plus a transfer order of \$141,000 by the School Committee, will make available total appropriations of \$142,000, the present estimated cost of said project.

2. Borrowing, even if only of a nominal amount, will permit the city to borrow in anticipation of the proceeds of the grant to be received from the Federal Government after a grant agreement shall have been entered into between the City and the United States of America under approval thereof by your Honorable Body under the provisions of section 8, chapter 404, Acts of 1935, which provides as follows:

“if a . . . city . . . shall have borrowed money under authority of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, or under said chapter as heretofore, hereby or hereafter amended and shall have an agreement with the federal government whereby such government grants such . . . city . . . a sum of money on account of the project for which the money was borrowed, the treasurer of such . . . city . . . with the approval of the . . . mayor . . . in anticipation of the receipt of the proceeds of such grant, may incur debt, which in the case of a city . . . may be outside the debt limit, to an amount not exceeding the amount of the grant as shown by the grant agreement, and may issue notes therefor payable in not exceeding

one year from their dates; and the proceeds of the grant, so far as necessary, shall be applied to the discharge of the loan.”

I accordingly submit to your Honorable Body a form of order approving said project at an estimated cost of \$142,000, and a form of loan order authorizing borrowing in the sum of \$1,000 for said project, and I respectfully recommend prompt consideration and passage by your Honorable Body of the accompanying orders.

Respectfully yours,
MAURICE J. TOBIN, Mayor.

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 one thousand dollars (\$1,000) be, and hereby is, appropriated, to be expended under the direction of the School Committee, for a gymnasium and an assembly hall in and incidental additions to the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, 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.

Ordered, That in accordance with the provisions of section 2, 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 following Public Works Project: Gymnasium and an Assembly Hall in and incidental additions to the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, at an estimated cost of one hundred forty-two thousand dollars (\$142,000).

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Ralph Carideo, for compensation for damage to car caused by an alleged defect in Neponset avenue, Roslindale.

Thomas M. Carty, for compensation for injuries caused by city car.

George Cosmopoulos, for refund on plate license to sell fruit and vegetables.

T. Jane Jenkins, for compensation for injuries caused by being hit by automobile.

James Matchem, for compensation for injuries caused by city car.

Francis A. Mitchell, for compensation for damage to car caused by an alleged defect in Neponset avenue, Roslindale.

Pasquale Moschella, for compensation for injuries caused by city car.

Peter Mylonopoulos, for compensation for injuries caused by city car.

William Vacca, for compensation for injuries caused by an alleged defect in Pope School, South Boston.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway to operate motor buses between junction of Huntington avenue, Parker and Hemenway streets and junction of Boylston and Charles streets, over Huntington avenue and Boylston street, and from junction of Huntington avenue and West Newton street over West Newton street, Falmouth street and Norway street to Huntington avenue.

Executive.

Lulu F. Boucher, to be paid an annuity on account of the death of Alfred Boucher, late member of Police Department.

Mrs. George J. Schiedel, to be paid annuity on account of death of her husband, George J. Schiedel, late member of Fire Department.

Mary C. Quinn, to be paid annuity on account of death of her husband, William Quinn, late member of Fire Department.

APPROVAL OF LOAN BY EMERGENCY FINANCE BOARD.

Notice was received from the State Emergency Finance Board of vote passed June 20, 1938, approving so much of \$3,000,000 tax title loan, which was originally approved by Board July 7, 1936, as is outstanding on July 10, 1938, rate of interest on renewal notes to be one per cent, payable at maturity.

Placed on file.

EXECUTIVE APPOINTMENTS.

Notice was received of the following appointments by the Mayor:

George G. Hyland, 63 Oakland street, Brighton, to be Commissioner of Public Works, for term ending April 30, 1942.

Robert F. Donigan, 55 Tower street, Jamaica Plain, to be member of Board of Trustees of Statistics Department, for term ending April 30, 1941.

Notice was also received designating Robert F. Donigan as chairman of Board of Trustees of Statistics Department.

Severally placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Frederick R. Sullivan, member of the School Committee, of interest as insurance broker on Maryland Casualty Bond No. 190380 running to City of Boston, dated June 1, 1938.

Placed on file.

LIST OF JURORS.

The following was received:

City of Boston,
Office of the City Clerk, June 27, 1938.
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 printed in City Document No. 48, was this day filed with me. It contains 10,923 names.

Respectfully,
WILFRED J. DOYLE, City Clerk.

Placed on file.

In connection with the communication President KERRIGAN offered the following:

Ordered, That the City Clerk be hereby directed to cause the names on the Jury List (City Document No. 48) 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.

TRAFFIC LIGHTS, CHARLES AND ALLEN STREETS.

Coun. FITZGERALD offered the following: Ordered, That his Honor the Mayor be requested to submit to the City Council an appropriation of \$3,000, unexpended balance for lights in the North End section of Ward 3, be transferred and used for traffic signal lights at Charles and Allen streets, in the West End.

Passed under suspension of the rule.

USE OF LAND NOW USED BY PEABODY SCHOOL.

Coun. FITZGERALD offered the following: Ordered, That his Honor the Mayor instruct the Board of Park Commissioners to

confer with the Superintendent of Schools to arrange for the transfer of the Peabody School on Poplar street, Ward 3, now used for special classes, and that said special classes be transferred to the Sharp School at Pinckney and Anderson streets, now not used for school purposes, and that the Peabody School be razed and the land used for a wading pool and a mothers' rest.

Passed under suspension of the rule.

USE OF LAND OCCUPIED BY GRANT SCHOOL.

Coun. FITZGERALD offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to surrender the land occupied by the Grant School on Phillips street, which school building has since been razed and that all that remains of said school is vacant land, be transferred from the control and custody of the School Department to the Park Department, to be used for playground purposes.

Passed under suspension of the rule.

APPROPRIATION FOR CHARLESBANK BEACH.

Coun. FITZGERALD offered the following:

Ordered, That the sum of \$250,000 be, and hereby is, appropriated, to be expended under the direction of the Park Commission, for the purpose of completing the Charlesbank Beach, and that to obtain said appropriation the City Treasurer be authorized to issue, from time to time, bonds or certificates of indebtedness of the city in said amount.

Coun. FITZGERALD—Mr. President, I realize that under the rules of the Council this order should be referred to the Committee on Finance. I desire to say a few words with regard to the Charlesbank Beach in the West End, realizing, of course, that the beach season is about to open and that the aspirants to political office are trying to make as much capital out of this order as they can. I want to say, in all fairness to his Honor the Mayor, that two weeks ago, as representative from that district, I accompanied a committee consisting of Jacob Burnes, Superintendent of the West End House, Freda Rogolsky of the Peabody House, Mr. George H. Lee of the Peabody House, and Malcolm Bancroft, also representing the West End House, in waiting upon his Honor the Mayor, in reference to this Charlesbank Beach. At that time he promised the committee to do all in his power to have a W. P. A. project put through and have a swimming pool arranged at this pleasant site, and he has been working on that proposition. I will also say that today, in the downpour of rain at two o'clock, in company with his Honor the Mayor and the Park Commissioner, I went down there and we looked over this situation. In the short space of time this beach has been opened some nine lives have been lost. It never, of course, was intended to be a beach. The purpose when the park was laid out was to have a swimming pool built at the park, but those who represented the district at that time in the Legislature, whose duty it was to see that those plans were carried out, evidently fell asleep. They did not care very much about the people; they were looking after their own selfish interests and more interested in them than in seeing that the original plans were carried out. Now, in regard to this matter, I feel that his Honor the Mayor will do everything he possibly can to please the people in that district. We all realize the congestion there, the large number of people who live in that congested area. Last Saturday the Park Commissioners, fearing that there might be a further loss of life there with over two thousand bathers, ordered the beach closed. I pointed out to his Honor the Mayor today, and he also saw it in the same light, that no matter what precautions you take there are going to be people who will

use the beach for bathing purposes. The older people can take care of themselves and the great danger is in loss of life among the younger children. The Mayor has requested the Park Commissioner, who has agreed to it that the beach shall be reopened at once and that every safeguard possible will be placed around those who use it. Ropes will be provided, barrels, and lifeguards placed in life boats and on the beach. The older boys will use the beach. They use the boats now, and they also use the boathouse rafts and swim there. My own boy, twelve years old, has been warned about the danger of the place, but, like all boys, he goes there, and was one of those who was there last Saturday when the beach was ordered closed. We all feel that there is a danger there. The engineers have failed to date to offer a satisfactory solution to make this beach safe, and the result is that candidates for political office are now making political capital out of this beach situation. Now, I want the people in the district which I have the honor to represent, and all those who have any interest in the district, to know that his Honor the Mayor is doing everything he possibly can to see that the beach is made safe, and I hope he will be able to find the money which it will be necessary to spend to put it in a safe condition for bathing purposes, and that is the reason I have offered this loan order, which I assume will now cost at least \$250,000.

The order was referred to the Committee on Finance.

SURVEY OF TRAFFIC CONDITIONS.

Coun. FITZGERALD offered the following: Ordered, That his Honor the Mayor be requested to appoint a committee of three engineers for the purpose of making a survey of traffic conditions in Boston and to report on the feasibility of discontinuing some of the present traffic lights which are now not properly placed; and be it further

Ordered, That his Honor the Mayor be requested to provide the sum of \$1,000 from the Contingent Fund to cover expenses incident to said survey.

Passed under suspension of the rule.

ACCEPTANCE OF HEWES STREET.

Coun. TAYLOR offered the following: Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Hewes street, Ward 12, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RESURFACING OF BICKNELL STREET.

Coun. TAYLOR, for Coun. Rosenberg, offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to resurface with smooth pavement Bicknell street, Ward 14, under the present W. P. A. plan of construction.

Passed under suspension of the rule.

PAYMENT TO PARENTS OF JOHN E. TROY.

Coun. IRWIN offered the following: Ordered, That the City of Boston pay to the parents of John E. Troy, 3d, \$1,000 for the injuries he received which five weeks later caused his death. Injuries received in the school property which is not protected by fence or sign and which is attached to the Dorchester High School for Girls.

Referred to Executive Committee.

REPLACING OF DUMMY BLINKER, EAST BOSTON.

Coun. IRWIN offered the following: Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to replace the dummy blinker which was removed recently from Jeffries and Sumner streets, East Boston.

Passed under suspension of the rule.

ACCEPTANCE OF BYRON COURT.

Coun. ENGLERT offered the following: Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept as a public highway Byron court, Ward 11, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RESURFACING OF DILLINGHAM STREET.

Coun. HUTCHINSON offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Dillingham street, Ward 13, under the W. P. A. plan of construction.

Passed under suspension of the rule.

APPOINTMENT OF TEMPORARY CHAIRMAN, EXECUTIVE COMMITTEE.

In the absence of Coun. Wilson, President KERRIGAN appointed Coun. DOWD as temporary Chairman of the Executive Committee.

RECESS.

On motion of Coun. DOWD the Council voted at 2.37 p. m. to take a recess, subject to the call of the Chair. The members reassembled and were called to order at 4.40 by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and order (referred today) accepting chapter 398 of Acts of 1938 *re* payments for subways, etc., by Boston Elevated Railway—that same ought to pass.

Report accepted; said order passed.

2. Report on message of Mayor and order (referred today) appropriating \$5,000 for children's excursions under Randidge Fund—that same ought to pass.

Report accepted; said orders passed, yeas 16, nays 0.

3. Report on message of Mayor and order (referred today) *re* Central Wharf sewer overflow—that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

4. Report on message of Mayor and orders (referred today) *re* transfers within departmental appropriations—recommending passage of said orders with exception of transfer within Collecting, Water Division, of \$4,750 from Equipment to Contractual Services and Supplies.

Report accepted; said order passed, yeas 16, nays 0.

5. Report on message of Mayor and orders (referred today) for appropriation for Robert Gould Shaw School improvements—recommending that same ought to pass.

Report accepted; said orders passed, yeas 16, nays 0.

NEW TYPEWRITER, CLERK OF COMMITTEES' OFFICE.

Coun. FITZGERALD offered the following: Ordered, That the City Messenger be requested to confer with the Budget Commis-

sioner and City Auditor with a view to providing the necessary funds for the purchase of a new typewriter to replace an old one in the office of the Clerk of Committees.

Passed under suspension of the rule.

NAMING OF PLAYGROUND FOR JOSEPH LEE.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor instruct the Board of Park Commissioners to have the playground now nearing completion on the site of the old gas house property on Prince, Commercial and Snow Hill streets named the Joseph Lee Playground, in honor of the late Joseph Lee, who was known as the father of the American playground.

Coun. FITZGERALD—Mr. President, I ask that these remarks that I submit be put in the record.

President KERRIGAN—If there is no objection, the remarks may be placed in the record.

Coun. FITZGERALD here submitted the following:

Mr. President and members of the City Council, I have introduced this order for the purpose of naming this playground after the late Joseph Lee, who has been known as the father of the American playground. It is only fitting and proper that this playground be named after the late Joseph Lee, as it was here in the North End of Boston where he first began his work, the agitation of the playground movement. It was here that he first started in the overseeing and supervising of playgrounds out of his own money. He provided paid instructors and supervisors and later this method was adopted by the old Park Commission and supervisors and instructors were paid from the city's funds. The old Charlesbank Playground was the first open-air playground and gymnasium to be placed in operation in this country, and it was at this playground, at the time that Mr. Lee was interested in the work, that the first instructors and supervisors were paid out of the city's funds, and to Mr. Lee belongs great credit for the extension of the playground systems in Boston. I also at this time desire to commend Mr. Long, chairman of the Park Commission, for the remarkable work he has done through his department in the laying out and construction of this playground, so long needed in this crowded North End section.

The order was passed under suspension of the rule.

DEATH OF ANDREW J. PETERS.

Coun. PETER A. MURRAY offered the following:

Resolved, That the City Council of Boston hereby expresses its regret at the untimely death of Honorable Andrew J. Peters, who filled the offices of Mayor, Representative in Congress, State Senator, and Assistant Secretary of the Treasury with distinction and credit to the city of his birth.

Coun. FITZGERALD—Mr. President, before we take a vote on that I would like to say a few words on behalf of the order introduced by the councilor from the district where the late Honorable Andrew J. Peters lived all his life. I know that Mr. Peters was a very dear friend of the councilor who introduced this order. Mr. Peters served as Mayor of this city and occupied many high positions of trust. He was a very good Mayor. He was very kind and sympathetic. I regret the passing of Andrew J. Peters. He was a man who I know did a great deal, he was a humane man, very kind to the city employees, and very kind to those who served with him in the City Council, and I know that his loss is a great loss to the citizens of this city.

The order was unanimously passed by a rising vote.

CONFIRMATION OF APPOINTMENTS.

President KERRIGAN called up Nos. 2 and 3 on the calendar, viz.:

2. Action on appointments submitted by the Mayor June 20, 1938, of William D. Whitmore and Harry P. Frost, to be Constables, authorized to serve civil process upon filing bonds.

3. Action on appointments submitted by the Mayor June 20, 1938, of Forrest G. Wilder, Jr., George H. Adamian, Mirak A. Hojelian, to be Weighers of Goods; and Arnold B. Crosby, Harry L. Williams, to be Weighers of Coal.

The question came on confirmation of the appointments. Committee, Coun. Sullivan and Irwin. Whole number of ballots cast 14, yeas 11, nays 3, and the appointments were confirmed.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Vincent J. Miller (referred June 6) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor apparatus belonging to the Fire Department, recommending passage of the accompanying order, viz.:

Ordered, That the sum of forty dollars (\$40) be allowed and paid to Vincent J. Miller in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

EXCISE AND POLL TAX BILLS.

Coun. CAREY offered the following:

Ordered, That the City Collector be requested, through his Honor the Mayor, to furnish the City Council with the amount of excise and poll tax bills sent out by the city as of June 27, 1933, and the comparative figures for the same date last year.

Passed under suspension of the rule.

TRAFFIC SIGNALS, BRIGHAM CIRCLE.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to transfer \$2,800 from the unexpended balance of the appropriation for Traffic Lights in the North End section, to be used for the purpose of installing automatic traffic signals at Brigham Circle, Ward 10.

Passed under suspension of the rule.

RESURFACING OF KANE STREET.

Coun. ROSENBERG, for Coun. Kelly, offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Kane street, Ward 15, under the W. P. A. plan of construction.

Passed under suspension of the rule.

FIRST-AID KITS FOR FIELD HOUSES.

Coun. WILSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to provide first-aid kits for each field house on all playgrounds in the City of Boston, and that the custodian in each case be instructed as to the proper use of the same.

Coun. WILSON—Mr. President, I would like very briefly to say that I have been very much surprised to find that the various field houses at the playgrounds of the City of Boston have not been provided with first-aid or emergency kits. I have seen accidents to various people at ball games on the playgrounds in the last

two or three weeks,—a man's ankle broken, and as late as even last week a serious injury to another player's fingers, where he was bleeding badly, and I was amazed to find that in the various field houses of the city not only that the houses are grossly undermanned—because in most instances there is only one Park Department employee available, in charge of the playground and the field house, and expected to cover the entire proposition—but there has not been placed in a single playground field house in the City of Boston even the plainest type of first aid kits, and I believe, during these days of traffic congestion, when we expect if possible that the younger children and the boys of the City of Boston shall patronize and use the playgrounds, that the least the City of Boston can do is to provide first-aid kits in every one of these field houses, in the hope that perhaps a life or two may be saved during the summer, and that the attaches of the Park Department in charge of the various field houses be given some reasonable minimum of instruction on what to do if some child on the playground, cut with glass or otherwise, is in danger of bleeding to death.

The order was passed under suspension of the rule.

CORRECTION.

Coun. WILSON—Mr. President, I would ask at this time that a correction be made at page 222 of the Council Minutes, in an order which I introduced at the meeting of June 20, so that it will read as I offered it, stating the date when \$20,000 was appropriated by the City Council for the recodification of statutes as June 14, 1926, and not June 14, 1936.

President KERRIGAN—If there is no objection the correction will be made.

RESURFACING OF WARD 4 STREETS.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 4 under the W. P. A. plan of construction: Columbus avenue, from Berkeley to Dartmouth street; Forsyth street, from Huntington avenue to Ruggles street.

Passed under suspension of the rule.

TRAFFIC LIGHTS, HUNTINGTON AVENUE AND WEST NEWTON STREET.

Coun. CHASE offered the following:

Ordered, That his Honor the Mayor be requested to transfer \$3,000 from the unexpended balance of the appropriation for traffic lights in the North End section, to be used for the purpose of installing automatic traffic signals at the corner of Huntington avenue and West Newton street, Ward 4.

Passed under suspension of the rule.

RESURFACING OF WARD 3 STREETS.

Coun. FITZGERALD offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to resurface with smooth pavement Howard, Bulfinch, Joy streets, Ward 3, under the present W. P. A. plan of construction.

Coun. FITZGERALD moved that when the Council adjourns it be to meet three weeks from today, July 18. The motion was passed.

On motion of Coun. FITZGERALD the Council voted to adjourn at 4.58 p. m., to meet on Monday, July 18, 1938, at two p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 18, 1938.

Regular meeting of the City Council held in Faneuil Hall at two p. m., President KERRIGAN presiding. Absent, Coun. Irwin, Lyons, Norton, Shattuck, Sullivan.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.
Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint the following persons as weighers:
Weigher of Goods: Michael J. Frawley, 316 Summer street, Boston, Mass.
Weigher of Wood and Bark: George F. Hartnett, 10 Akron street, Roxbury, Mass.
Weigher of Coal, Wood and Bark: Nicholas A. Burckhart, 488 Neponset avenue, Dorchester, Mass.

Respectfully,
MAURICE J. TOBIN, Mayor.

Laid over for one week under the law.

ESTIMATED COST OF INSTALLATION OF INCINERATORS.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Commissioner of the Public Works Department relative to your order of June 20, 1938, concerning the estimated cost of installing incinerators in Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 5, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order in Council, under date of June 20, 1938, as follows:
"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council as to the estimated cost of installing incinerators in Boston in sufficient numbers to properly and adequately take care of garbage and refuse disposal throughout the city, such report to be made by the Public Works Commissioner after consideration of memoranda on the subject filed with the City Council by the Department of Public Works on November 4, 1926."

The following is the information desired by the City Council, calculated on a basis of 33½ per cent overload, and using a factor of \$1,250 per ton capacity per day:

| District and Section. | Cost. |
|--|--------------------|
| 1. East Boston..... | \$106,000 |
| 2. Charlestown, North and West Ends..... | 250,000 |
| 3. Brighton..... | 135,000 |
| 4. Dorchester..... | 435,000 |
| 5. West Roxbury and Hyde Park.... | 233,000 |
| 6. Roxbury..... | 300,000 |
| 7. South Boston, Back Bay and South End..... | 450,000 |
| Whole city..... | <u>\$1,905,000</u> |

Col. George A. Johnson, consulting engineer, submitted a report in 1923 to the Commissioner of Public Works relative to a study that he had made in regard to the disposal of refuse and garbage in the City of Boston by the method of

incineration. This report was rather lengthy and I have been unable to study it so as to give an opinion of same. The installation of incinerators is a major study and should not be approved or disapproved without a thorough investigation being made.

The above figures are only estimated, and should not be used except as a guide to the cost of construction of the plants required, whereas, the problem of incineration involves many more angles than that of plant construction.

Respectfully yours,

GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

COLEMAN DISPOSAL CONTRACT.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the Coleman disposal contract.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 29, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I am returning order of the City Council, dated June 20, 1938, concerning Coleman disposal contract, and submit the following report:

1. The expiration date of the present Coleman disposal contract.

Ans. June 30, 1942.

2. The location of the districts now included in the Coleman contract as to (a) garbage, (b) rubbish.

Ans. (a) Charlestown; South Boston; Dorchester; Roxbury; and that part of West Roxbury extending from the Roxbury line to and including the following streets: Perkins, Jamaica-way, Moraine, Boylston, Washington to Columbus avenue; City Proper; South End and Back Bay extending to and including Essex street and the boundary between Boston and the town of Brookline.

(b) Charlestown; South Boston; Roxbury, except the area bounded by Blue Hill avenue, Savin, Warren, Townsend, Washington streets, Columbus avenue and Seaver street; West Roxbury, from the Roxbury line to and including the following streets: Perkins, Jamaica-way, Moraine, Boylston, Washington and Columbus avenue; City Proper; South End and Back Bay extending to and including Essex street and the boundary between Boston and the town of Brookline; that part of Dorchester north of a line beginning at the junction of Blue Hill avenue, West Cottage street, East Cottage street, New York, New Haven & Hartford Railroad, Midland Division; South Bay, Massachusetts avenue, Willow court, Mount Vernon street, Columbia road to the New York, New Haven & Hartford Railroad. All of the above except Charlestown and South Boston shall be termed the mainland.

3. The location of the districts not now included in the Coleman contract.

Ans. For garbage and rubbish—East Boston, Brighton, West Roxbury, Jamaica Plain and Hyde Park. For rubbish only—Dorchester and the Elm Hill district.

4. The annual cost of disposal under the existing Coleman contract.

Ans. For the six months from July 1, 1932, to January 1, 1933, three hundred and sixty thousand dollars (\$360,000).

For the year 1933, four hundred thousand dollars (\$400,000).

For the year 1934, four hundred thousand dollars (\$400,000).

For the year 1935, four hundred thousand dollars (\$400,000).

For the year 1936, three hundred and sixty thousand dollars (\$360,000).

For the year 1937, three hundred and sixty thousand dollars (\$360,000).

For the year 1938, three hundred and sixty thousand dollars (\$360,000).

For the year 1939, three hundred and twenty thousand dollars (\$320,000).

For the year 1940, three hundred and twenty thousand dollars (\$320,000).

For the year 1941, three hundred and twenty thousand dollars (\$320,000).

For the six months from January 1, 1942, to July 1, 1942, one hundred and eighty thousand dollars (\$180,000).

5. Whether all garbage, except that collected by city forces and by the Dorchester district contractor, is still carted away and sold to farmers for feeding to hogs.

Ans. Yes.

6. The location of all dump locations within the limits of the City of Boston where dumping, either by city forces or contractors, is now permitted.

Ans. The Hyde Park contractor dumps on private land off East Milton street, Hyde Park.

The contractors in East Boston, Brighton and West Roxbury districts dump outside the city limits.

The Dorchester contractor dumps at Mile road, American Legion Highway and Hallet street.

The city forces, in addition to the waterfront stations, dump at Mile road, and material from the Elm Hill district is dumped at American Legion Highway.

Respectfully yours,

GEORGE G. HYLAND,

Commissioner of Public Works.

Placed on file.

REDUCTION PROCESS OF GARBAGE DISPOSAL.

The following was received:

City of Boston,

Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning whether the City of Boston still makes use of the so-called reduction process of garbage disposal, except in the East Boston, Brighton, West Roxbury and Hyde Park districts, as was the method in 1926.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department, June 29, 1938.

Mr. William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I am returning order of the City Council, dated June 20, 1938, as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council whether the City of Boston still makes use of the so-called reduction process of garbage disposal, except in the East Boston, Brighton, West Roxbury and Hyde Park districts, as was the method in 1926."

Answer. Yes. Coleman Disposal Company, under contract, reduces garbage received from day labor districts.

Respectfully yours,

GEORGE G. HYLAND,

Commissioner of Public Works.

Placed on file.

GARBAGE AND RUBBISH COLLECTION IN BACK BAY.

The following was received:

City of Boston,

Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the garbage and rubbish collections in the Back Bay, the North, South and West Ends, Charlestown, South Boston and Roxbury.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Public Works Department, June 29, 1938.

Mr. William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—I am returning order of the City Council, dated June 20, 1938, as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to advise the City Council what changes, if any, have been made from the arrangement existing in 1926, at which time city forces handled garbage and rubbish collections in the Back Bay, the North, South and West Ends, Charlestown, South Boston and Roxbury, and contractors attempted to take care of East Boston, Brighton, West Roxbury, Hyde Park and Dorchester."

Answer. The only change is that the West Roxbury district now embraces the Jamaica Plain area.

Respectfully yours,

GEORGE G. HYLAND,

Commissioner of Public Works.

Placed on file.

SALARY OF SEALER OF WEIGHTS AND MEASURES.

The following was received:

City of Boston,

Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I forward herewith a proposed amendment to the Revised Ordinances of 1925, concerning the salary of the Sealer of Weights and Measures.

The proposed change reduces the salary of this position from forty-five hundred to thirty-five hundred dollars per year.

The appointment of a new Sealer of Weights and Measures to fill the vacancy caused by the death of James A. Sweeney, will be made at the new annual rate, provided the proposed amendment is approved by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

An Ordinance Concerning the Salary of the Sealer of Weights and Measures.

Be it ordained by the City Council of Boston, as follows:

Section five of chapter three of the Revised Ordinances of 1925, as amended, is hereby further amended in the clause establishing the salary of the sealer of weights and measures by striking out the words "forty-five hundred dollars" and inserting in place thereof the words, "thirty-five hundred dollars."

Referred to the Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, July 18, 1938.

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,

MAURICE J. TOBIN, Mayor.

Ordered. That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Central Office:

From the appropriation for B, Contractual Services, \$100, to the appropriation for E, Materials, \$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 Library Department:

From the appropriation for A, Personal Service, \$834.78, to the appropriation for F, Special Items, \$834.78.

Referred to Executive Committee.

**SOLDIERS' RELIEF DEPARTMENT
W. P. A. PROJECT.**

The following was received:

City of Boston,
Office of the Mayor, July 7, 1938.
To the City Council,

Gentlemen,—The Soldiers' Relief Department is the sponsor of a W. P. A. project, accepted and approved by the Federal Government, which has for its object the preparation of a comprehensive record, as of March 30, 1938, of the graves in Boston of deceased, honorably discharged veterans of all wars participated in by the United States (including Confederate veterans), for use in connection with the decoration of graves. I have already designated an employee of the Soldiers' Relief Department to act as Graves Registration Officer, whose duty will be the supervision of the project, under the direction of the Soldiers' Relief Commissioner, so that the results obtained by the project will be satisfactory to the various veteran organizations which have advocated this particular registration of graves for some time past.

The Federal Government has allotted a sum sufficient to pay the personnel employed on this project and the city has agreed to furnish the necessary materials to carry on the project.

Due to the fact that this project was not contemplated at the time of the passage of the budget by your Honorable Body, no appropriation was made in the H, Relief Projects, item of the Soldiers' Relief Department budget. In order that there will be no delay in starting this project, I am forwarding herewith an order transferring the sum of \$980 from H, Relief Projects, item of the budget of the Sewer Service, where there is no project contemplated at the present time, to the Soldiers' Relief Department, and respectfully recommend its passage by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, 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 Works Department, Sewer Service, H, Relief Projects, \$980, to the appropriation for Soldiers' Relief Department, H, Relief Projects, \$980.

Referred to Executive Committee.

TRANSFERS FOR PUBLIC WORKS RELIEF PROJECT.

The following was received:

City of Boston,
Office of the Mayor, July 7, 1938.
To the City Council,

Gentlemen,—I am in receipt of a request from the Commissioner of Public Works for a transfer of \$3,000 from the H, Relief Projects, item in the Paving Service budget to the H, Relief Projects, item of the Bridge Service budget. This sum is to be used in connection with the scraping, cleaning and painting of the Congress Street and Charlestown Bridges under a W. P. A. project.

In compliance with this request I am forwarding herewith an order transferring the necessary amount and respectfully recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, 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 Works Department, Paving Service, H, Relief Projects, \$3,000, to the appropriation for Public Works Department, Bridge Service, H, Relief Projects, \$3,000.

Referred to Executive Committee.

APPROVAL OF P. W. A. PROJECTS.

The following was received:

City of Boston,
Office of the Mayor, July 14, 1938.
To the Honorable the City Council.

Gentlemen,—Your Honorable Body has approved each of the following P. W. A. Projects:

1. Alterations and additions to the High School of Practical Arts (P. W. A. Docket No. Mass. 1093-F).
2. Addition to William Howard Taft School, Brighton (P. W. A. Docket No. Mass. 1095-F).
3. Gymnasium and an Assembly Hall in, and incidental additions to, the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury (P. W. A. Docket No. Mass. 1421-F).

The first two projects were approved by your Honorable Body on May 3, 1937, and approved by the then Mayor on May 4, 1937. Loan orders for these two projects were passed by your Honorable Body, after second reading, on May 24, 1937, and approved by the then Mayor on June 1, 1937.

The third project was approved by your Honorable Body on June 27, 1938, and approved by me on June 28, 1938. The School Committee has made available for this third project the sum of \$141,000 by a transfer order passed on March 1, 1937, transferring this sum from unexpended balances of appropriations originally raised by taxation. A loan order is now before your Honorable Body for the balance of \$1,000. This loan order was given its first reading on June 27, 1938.

I have 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, said grants not to exceed, in any event, the following respective amounts:

1. Alterations and additions to the High School of Practical Arts (P. W. A. Docket No. Mass. 1093-F)..... \$70,425
2. Addition to William Howard Taft School, Brighton (P. W. A. Docket No. Mass. 1095-F)..... 200,700
3. Gymnasiums and an Assembly Hall in, and incidental additions to, the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury (P. W. A. Docket No. Mass. 1421-F)..... 63,900

I am transmitting herewith to your Honorable Body the following:

1. Copy of offer by the United States of America in each of said projects;
2. Copy of Terms and Conditions (P. W. A. Form 230) referred to in said offers; and
3. Form of order of acceptance of offer relating to each of the above projects.

Paragraph 2 in each of said offers refers to satisfactory evidence of the approval of the construction of the project "by a two-thirds vote of the qualified voters of the applicant." I have been advised by H. A. Gray, Assistant Administrator, Federal Emergency Administration of Public Works, "that the City of Boston may satisfactorily comply with (said) condition by the submission of proof of approval of the construction of the project by a two-thirds vote of the members of the governing body of the City."

The estimated cost of the addition to the William Howard Taft School (Docket Mass. 1095-F), referred to above, which is \$446,000, may, by reason of a modification now under consideration, be reduced to approximately \$300,000.

In view of the necessity of prompt action in order to obtain the above grants, I urgently recommend prompt consideration and passage by your Honorable Body of the accompanying orders.

Respectfully,
MAURICE J. TOBIN, 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 construction of additions and alterations to the High School of Practical Arts, including necessary equipment therefor, a copy of which offer reads as follows:

Federal Emergency Administration
of Public Works,

Washington, D. C.,
Dated: June 28, 1938,
Docket No. Mass. 1093-F.

City of Boston,
Boston, Suffolk County, Massachusetts.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of additions and alterations to a school building, including necessary equipment therefor (herein called the "Project"), by making a grant to the City of Boston (herein

called the "Applicant"), 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 \$70,425.

2. The United States of America shall be under no obligation to furnish any funds to the Applicant by way of grant until satisfactory evidence of the approval of the construction of the Project by a two-thirds vote of the qualified voters of the Applicant and the approval of the Governor and the State Emergency Finance Board have been submitted to the Federal Emergency Administrator of Public Works.

3. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 8 months from the commencement of construction.

UNITED STATES OF AMERICA,
FEDERAL EMERGENCY ADMINISTRATOR
OF PUBLIC WORKS.

By (Sgd.) H. A. GRAY,
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 terms and conditions relating to such grant, a copy of which terms and conditions 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 of additions and alterations to an existing school building, including necessary equipment therefor, consisting of gymnasium and an assembly hall in and incidental additions to the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, a copy of which offer reads as follows:

Federal Emergency Administration
of Public Works,

Washington, D. C.,
Dated: June 27, 1938.
Docket No. Mass. 1421-F.

City of Boston,
Boston, Suffolk County, Massachusetts.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of additions and alterations to an existing school building, including necessary equipment (herein called the "Project"), by making a grant to the City of Boston (herein called the "Applicant"), 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 \$63,900.

2. The United States of America shall be under no obligation to furnish any funds to the Applicant by way of grant until satisfactory evidence of the approval of the construction of the Project by a two-thirds vote of the qualified voters of the Applicant and the approval of the Governor and the State Emergency Finance Board have been submitted to the Federal Emergency Administrator of Public Works.

3. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 12 months from the commencement of construction.

UNITED STATES OF AMERICA,
FEDERAL EMERGENCY ADMINISTRATOR
OF PUBLIC WORKS,

By (Sgd.) H. A. GRAY,
Assistant Administrator.

he, and the same is hereby, in all respects accepted; and further

Ordered, That said City of Boston agrees to abide by all the terms and conditions relating to such grant, a copy of which terms and conditions 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 of addi-

tions and alterations to the William Howard Taft School, Brighton, including necessary equipment therefor, a copy of which offer reads as follows:

Federal Emergency Administration of
Public Works,

Washington, D. C.,
Dated: June, 28, 1938.
Docket No. Mass. 1095-F.

City of Boston,
Boston, Suffolk County, Commonwealth of
Massachusetts.

1. Subject to the Terms and Conditions (P. W. A. Form No. 230, as amended to the date of this Offer) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of additions and alterations to an existing school building, including necessary equipment therefor (herein called the "Project"), by making a grant to the City of Boston (herein called the "Applicant"), 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 \$200,700.

2. The United States of America shall be under no obligation to furnish any funds to the Applicant by way of grant until satisfactory evidence of the approval of the construction of the Project by a two-thirds vote of the qualified voters of the Applicant and the approval of the Governor and the State Emergency Finance Board have been submitted to the Federal Emergency Administrator of Public Works.

3. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 12 months from the commencement of construction.

UNITED STATES OF AMERICA,
FEDERAL EMERGENCY ADMINISTRATOR OF
PUBLIC WORKS,

By (Sgd.) H. A. GRAY,
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 terms and conditions relating to such grant, a copy of which terms and conditions were annexed to the Government's offer and made a part thereof.

Referred to Executive Committee.

USE OF PEABODY SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 27, 1938, concerning the arranging for the transfer of the Peabody School on Poplar street, Ward 3, now used for special classes, he transferred to the Sharp School at Pinckney and Anderson streets, now not used for school purposes, and that the Peahody School be razed and the land used for a wading pool and a mothers' rest.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 8, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have your memorandum of July 7, with inclosure, order from the City Council that the Park Commissioners confer with the Superintendent of Schools to arrange for the transfer of the Peahody School on Poplar street, etc.

Please be informed that such an action would be illegal. A decision of the Law Department maintains that land purchased by the city for any designated purpose cannot be transferred or changed without an act of the Legislature.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

NAMING OF PLAYGROUND FOR JOSEPH LEE.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.
Gentlemen—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 27, 1938, concerning the naming of the playground now nearing construction on the site of the old gas house property on Prince, Commercial and Snow Hill streets.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 8, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have your memorandum of July 7, with inclosure, order from the City Council relative to naming the new playground being constructed on Prince, Commercial and Snow Hill streets, the "Joseph Lee Playground."

This department is only too pleased to comply with the request of the councilor, but the friends of the late Joseph Lee feel that this area is not large enough to commemorate his memory, and suggests that the Fens Playground in the Back Bay be named for him, with an appropriate ceremony on Thursday, July 28, 1938.

Therefore, the Board of Park Commissioners will give the request of the councilor careful consideration before any action is taken.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FIRST-AID KITS FOR FIELD HOUSES.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 27, 1938, concerning the provision of first-aid kits for each field house on all playgrounds in the City of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 8, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have memorandum of July 7 with inclosure, Council order that the Park Commission provide first-aid kits for each field house on all playgrounds in the city and that the custodian in each case be instructed in the proper use of same.

Please be informed that it will be a pleasure to comply with the request of the City Council in so far as my limited budget allowances will permit.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

USE OF GRANT SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the secretary of the School Committee relative to your order of June 27, 1938, concerning the surrendering of the Grant School lot on Phillips street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
School Committee, July 11, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Under date of July 7 you forwarded to the School Committee copy of order passed by the City Council June 27, 1938, requesting the School Committee, through his Honor the Mayor, to surrender the Grant School lot on Phillips street to the control and custody of the Park Department, to be used for playground purposes.

The School Committee, prior to the receipt of your communication, had adjourned for the summer; consequently the request of the City Council will be held until the School Committee reassembles in September.

Very truly yours,
ELLEN M. CRONIN,
Secretary.

Placed on file.

CERTIFICATION OF APPLICANTS FOR P. W. A. EMPLOYMENT.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Executive Director of the Overseers of the Public Welfare relative to your order of June 6, 1938, concerning the arranging of a separate department to take care of the certification of applicants for P. W. A. employment.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
July 7, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with inclosed copy of an order from the City Council, dated June 6, 1938, reading as follows:

"Ordered, That the trustees of the Board of Public Welfare be requested, through his Honor the Mayor, to arrange a separate department to take care of the certification of applicants for W. P. A. employment."

I do not believe that it would increase the efficiency of certification of non-welfare persons for W. P. A. employment to set up a separate department for certification. This department is endeavoring to increase the number of workers now engaged in this work.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

ISSUE OF PERMITS FOR OPENING STREETS.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the issuing of a permit to any public service corporation to make an opening in a street within one year after its construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 1, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—Referring to the inclosed order from the City Council relative to the issuing of permits to any public service corporation making an opening in a street within one year after its construction, I respectfully refer you to chapter 27, section 8, of the Revised Ordinances of 1925. This section states, in substance, that no street shall be opened by any department or person within one year after its construction, except in cases of obvious necessity.

We try to discourage as much as possible the opening of any streets within one year of the time that they have been resurfaced. It might be necessary, however, to grant permits to either a new home owner who has applied for gas, water and electric service, or to the City of Boston, or to a corporation in the case of a water or gas break.

It is my opinion that the present ordinance is sufficient to control this situation.

Respectfully yours,
GEORGE G. HYLANO,
Commissioner of Public Works

Placed on file.

HANDBALL COURT AT L STREET.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 20, 1938, concerning the installation of a handball court in the boys' bath house at L street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 1, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memorandum of June 24, with inclosure, order from the City Council that the Park Commissioner be requested to install a handball court in the boys' bath house at L street.

I am only too pleased to comply with the request of the councilor, if the funds can be provided for same.

Meanwhile, I will make up a project to build a handball court at this place and repair the old one in the men's section.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TEMPORARY MATRON AT HAWKINS STREET HOME.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Executive Director of the Overseers of the Public Welfare relative to your order of June 20, 1938, concerning the appointment of a matron in

the temporary home at Hawkins street to fill in during the summer months.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
July 18, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with inclosed copy of an order from the City Council dated June 20, 1938, reading as follows:

"Ordered, That his Honor the Mayor be requested to direct the Board of Overseers of the Public Welfare to appoint a matron in the temporary home at Hawkins street to fill in during the summer months."

The allowance for temporary employees in the department's appropriation was not sufficient to pay for the employment of a temporary matron for the entire vacation period.

We have arranged the vacation schedules so that the matrons on duty during the vacation period will work the same number of hours as they have formerly worked and also will be allowed the usual time off.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

RENTALS PAID FOR OFFICES OF CITY DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings relative to your order of June 20, 1938, concerning the amount of rentals paid for offices for city departments each year during the period from 1927 to 1937, inclusive.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department, June 29, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Below is the information requested in the attached order of the City Council:

RENTALS, 1927-1937, INCLUSIVE.

| YEAR. | Law Department, 11 Beacon Street. | Ward Room 11, Minton Hall. | Grounds, Carney Hospital. | First Corps Cadets. |
|-----------|--------------------------------------|-------------------------------|------------------------------|---------------------|
| 1927..... | \$12,840 | \$600 | \$250 | \$4,800 |
| 1928..... | 12,840 | 600 | 250 | 4,800 |
| 1929..... | 13,640 | 600 | 250 | 4,800 |
| 1930..... | 16,440 | 600 | 250 | 4,800 |
| 1931..... | 16,920 | 600 | 250 | 4,800 |
| 1932..... | 16,920 | 600 | 250 | 4,800 |
| 1933..... | 16,920 | 600 | 250 | 4,800 |
| 1934..... | 14,820 | 600 | 250 | 4,800 |
| 1935..... | 15,475 | 600 | 250 | 4,800 |
| 1936..... | 15,690 | 600 | 250 | 4,800 |
| 1937..... | 15,690 | *600 | 250 | 4,800 |

* Quit premises December 31, 1937.

Very truly yours,
LEO F. POWER, Superintendent of Public Buildings.

Placed on file.

RESANDING OF SAVIN HILL BEACH.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of June 20, 1938, concerning the resanding of Savin Hill Beach.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 1, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I received a memorandum with inclosure, order from the City Council relative to the resanding of Savin Hill Beach.

I am trying to obtain sand from some one of our projects to comply with this request.

Please be assured, if it is at all possible to acquire this sand, I will be only too anxious to take care of Savin Hill Beach.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

VACATION FOR HOSPITAL EMPLOYEES.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of the Boston City Hospital relative to your order of June 20, 1938, concerning the employees of the hospital alternating for Saturdays off during the summer months.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, July 8, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—At a meeting of the Board of Trustees held today I presented city Council orders of June 20 relative to allowing the employees of the hospital alternate Saturdays off during the summer season and the placing of the clerical force of the hospital on a five-day week during the summer months in conformance with the program now in force for other city employees.

The trustees wish me to inform you that they will take the order of the City Council under careful consideration with the idea of attempting to give such Saturdays off as may be possible, having in mind the needs of the hospital, our limited number of employees and our budgetary conditions.

Very truly yours,
JAMES W. MANARY, M. D.,
Superintendent.

Placed on file.

NUISANCE AT COLEMAN'S LEDGE.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel relative to your order of April 11, 1938, concerning the property located at the junction of St. Alphonsus, Calumet and Tremont streets, Ward 10.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, June 27, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Under date of April 11, 1938, the City Council passed the following order which your Honor duly transmitted to me:

"Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to make an investigation of the property located at the junction of St. Alphonsus, Calumet and Tremont streets, Ward 10, which property is familiarly known as 'Coleman's Ledge,' with a view to deter-

mining what action, if any, can be taken by the City Council or any city department to remedy the conditions existing there which are a menace to the surrounding property and a source of great danger to the children in the neighborhood.
In City Council April 11, 1938.

Passed.

W. J. DOYLE, City Clerk."

In compliance therewith I now send you the results of the investigation made by this department of the law and the facts in connection with the locus.

The property in question is privately owned and was once used as a stone quarry, last having been operated in the year 1932. It consists of a total of 392,384 square feet, and is assessed as five distinct lots, with an aggregate valuation of \$26,000. Taxes for the year 1936 amounted to \$1,010.50 and are still unpaid. 1937 taxes have been paid. There would seem to be little value to the property for any purpose other than a quarry at the present time. The stone consists of trap rock and pudding stone, hardly usable except as crushed stone for road building. At one time the quarry was, I am informed, inclosed by a fence which has gradually been torn down and completely destroyed. Thus the premises which adjoin a public street are open to the public and are frequented by the children of the neighborhood. As the quarry consists in part of high, steep and very irregular rock it is naturally dangerous to the children who play there.

As to what remedies lie open to the city, acting through the Council or any city department, to improve the conditions complained of, I must confess that I am somewhat at a loss to make any constructive suggestions. It seems clear that no legal steps are available. The property is privately owned, and while it is contiguous to the public streets, the condition cannot be said to fall within the range of cases which hold an owner of land liable for excavation made by him in his land where such land has been used by the public with his consent as a public street. There is no danger to the public using the adjoining streets here as a result of which an owner could be required to erect a fence or barrier so as not to endanger persons lawfully using the street for purposes of travel. The danger to children does not arise until they have left the sidewalk and proceeded for some distance by a small path to the broken rocks and excavations of the abandoned quarry. The city therefore cannot compel the owner to erect a barrier or fence, on the theory that it is necessary to make the highway safe for travel, nor would the city have the right to do so itself in the absence of the assent of the owner. The cases are clear that the city "is bound to do so (i. e., erect barriers) to prevent travelers from straying from the highway, although there is a dangerous place at some distance from the highway which they may reach from so straying." (See Puffer v. Orange, 122 Mass. 389, at page 391, and cases there cited.)

It is also clear both that no proceeding is open to the city on the basis of a nuisance and that there is no liability on the landowner for accidents occurring there to persons present without his consent or invitation. In McIntire v. Roberts, 149, Mass., at page 453, Field, J., stated:

"We are not aware that it has ever been decided here that excavations made by the owner of land outside the limits of a highway, but so near to it as to make it unsafe for travelers, constitute a public nuisance for creating or maintaining which the landowner may be punished."

This case is still the law. The doctrine of the so-called "turntable cases" holding a railroad liable on the ground that a turntable constituted an "attractive nuisance" and thus held out a constructive invitation to children to come and play thereon to their injury, has never been adopted in Massachusetts. See Daniels v. N. Y. & N. E. R. Co., 154 Mass. 349, where the court laid down the general rule that "an owner of land may use his land in such manner as he sees fit, and if a trespasser or mere licensee is injured, he cannot complain that, if the owner had used it in a more careful manner, no injury would have resulted."

Thus, to summarize, it is my opinion that any remedying of the conditions on this property described in the Council's order must rest with voluntary action on the part of the owner. A lively sense of public spirit might move him to erect a fence on his property to keep the children of the neighborhood away from the danger lurking

in the rocks; if not, the city, with his consent, might erect such a barrier. Such an expense would seem to be justifiable in the public interest.

Very respectfully yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

TRAFFIC SIGNALS, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of the Boston Traffic Commission relative to your order of June 20, 1938, concerning the installation of automatic traffic signals at the following intersections in Ward 7:

Preble street and Old Colony avenue.
Andrew square.
Columbus Circle.
Dr. Michael Gavin way and Old Colony avenue.
Gen. Lawrence J. Logan way and Old Colony avenue.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, June 30, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr Mayor,—I have the honor to acknowledge receipt of Council order dated June 30, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the following intersections in Ward 7:

Preble street and Old Colony avenue.
Andrew square.
Columbus Circle.
Dr. Michael Gavin way and Old Colony avenue.
Gen. Lawrence J. Logan way and Old Colony avenue."

There are no funds available to this commission at the present time for the installation of automatic traffic signals at the above locations.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

SIDEWALKS, SYMMES STREET.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the installation of artificial sidewalks on Symmes street, Ward 20, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 20, requesting the Commissioner of Public Works to install artificial stone sidewalks on Symmes street, Ward 20, under the W. P. A. plan of construction, and I regret to report that it will not be possible to comply with this request as the work is assessable, and, under the W. P. A. regulations, this department is prevented from doing work upon which an assessment is to be made.

I might also say that this department has no funds available in its own appropriations for this work.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

STAIRWAY, UPLAND STREET.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your

order of June 20, 1938, concerning the construction of a stairway between Upland street and Dunboy street, Ward 22.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 1, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council requesting the Commissioner of Public Works to construct a stairway between Upland street and Dunboy street, Ward 22.

This is a matter which will have to receive the consideration of the Street Commissioners, because of the fact that it involves the laying-out and construction of a stairway connecting these two streets, and I recommend that the order be sent to the Board of Street Commissioners for consideration.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

FIVE-CENT FARE, HUNTINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Boston Elevated Railway Company relative to your order of June 20, 1938, concerning a five-cent fare zone on the Huntington avenue line, from Brigham Circle to the entrance to the subway at Arlington street.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston, Elevated Railway,
June 30, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The trustees have considered carefully the request contained in your communication of June 24 for extension of the five-cent fare zone on the Huntington avenue line, from Brigham Circle to the entrance to the subway at Arlington street.

While appreciating the sentiment which prompts the request, the trustees are much concerned with the trend of travel and the effect it is having upon the deficit which will arise next March.

As an evidence of the seriousness of this situation, the estimated loss in gross receipts for July, over a year ago, is \$100,000. Under such conditions the trustees must turn down all requests which in any way result in decreasing the income. This request is of such a character, no matter which way you look at it, and the trustees regret their inability to acquiesce.

Very truly yours,
EDWARD E. WHITING, Chairman.

Placed on file.

MOZART SCHOOL PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the secretary of the School Committee of the City of Boston relative to your order of June 20, 1938, concerning the opening of the yard of the Mozart School as a playground for the current season.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
School Committee, June 30, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Under date of June 24, 1938, you forwarded to the School Committee, the City Council order of June 20 requesting the School Committee, through his Honor the Mayor, to open the yard of the Mozart School as a playground for the current season.

The chairman of the School Committee has asked me to inform you that the Committee

already had agreed to establish the Mozart Play-ground and the yard was opened on Wednesday, June 29.

Very truly yours,
ELLEN M. CRONIN,
Secretary.

Placed on file.

RESURFACING OF VARIOUS STREETS.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the resurfacing of Stanwood terrace, Ward 14.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting on June 20, requesting that Stanwood terrace, Ward 14, be resurfaced with smooth pavement, under the present W. P. A. plan of construction.

This street is a private way, which is not under the control of the Public Works Department, and the first step would be to have the Board of Street Commissioners accept it and send an order to this department for construction.

I therefore suggest that this order be referred to the Board of Street Commissioners for consideration.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the resurfacing of the following streets:

Burbank street, from Massachusetts avenue to Hemenway street.

Norway street, from Hemenway street to Edgerly road.

Dalton street, from Falmouth to Scotia street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 20, requesting that the following streets in Ward 4 be resurfaced under the W. P. A. plan of construction:

Burbank street, from Massachusetts avenue to Hemenway street.

Norway street, from Hemenway street to Edgerly road.

Dalton street, from Falmouth to Scotia street.

The three streets mentioned are in a project which this department is now preparing for submission to the Government authorities for approval.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 6, 1938, concerning the resurfacing of St. Stephen street, Ward 4.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 6, requesting the Commissioner of Public Works to resurface St. Stephen street, Ward 4, under the W. P. A. plan of construction, and I report that work on this

street, under a W. P. A. project, is now in progress and will be completed as soon as possible.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 27, 1938, concerning the resurfacing of the following streets in Ward 4: Columbus avenue, from Berkeley to Dartmouth street.

Forsyth street, from Huntington avenue to Ruggles street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 15, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of July 7 with attached order of the City Council, requesting that the Commissioner of Public Works resurface Columbus avenue, Ward 4, from Berkeley street to Dartmouth street, and Forsyth street, Ward 4, from Huntington avenue to Ruggles street.

Columbus avenue, between the limits mentioned, is on a project which has been approved for construction, and this department is contemplating starting the work about the middle of August.

In regard to Forsyth street, you are informed that work is now in progress on the resurfacing of the street, between the limits mentioned.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 27, 1938, concerning the resurfacing with smooth pavement Bicknell street, Ward 14, under the present W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 15, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of July 7, relative to the attached City Council order requesting that Bicknell street, Ward 14, be resurfaced under the present W. P. A. plan of construction, and I report that this street has been submitted on a project and we expect to receive the necessary approval within a short time.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 6, 1938, concerning the resurfacing of the following streets:

Kingsdale street, West Park street, Intervale street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 6, requesting the Commissioner of Public Works to resurface the following streets in Ward 14, under the W. P. A. plan of construction:

Kingsdale street, West Park street, Intervale street,

and I respectfully report that the above-named streets are included in a project which we are now preparing to submit for approval.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 6, 1938, concerning the resurfacing with smooth paving, under the W. P. A. type of construction, Orchard street, Ward 19.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 6, requesting the Commissioner of Public Works to resurface with smooth paving, under the W. P. A. type of construction, Orchard street, Ward 19, and I report that this street has been submitted on a W. P. A. project for construction this year.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 6, 1938, concerning the resurfacing of Montvale street, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 6, requesting the Commissioner of Public Works to resurface Montvale street, Ward 20, under the W. P. A. Plan of construction, and I respectfully report that this street is included in a project which we are now preparing to submit for approval.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the resurfacing of the following streets:

Knoll street, from Walter to Selwyn street;
Colberg avenue, Symmes street, Crest street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 20, requesting the Commissioner of Public Works to resurface the following streets in Ward 20, under the W. P. A. plan of construction:

Knoll street, from Walter to Selwyn street;
Colberg avenue, Symmes street, Crest street.

The first three streets are on a project now being submitted for approval.

Crest street, however, is a private way, and until the Board of Street Commissioners accepts it and orders its construction, this department would be unable to do anything in the matter of improving its condition. I would suggest that the Street Commissioners give consideration to the acceptance of this street.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the resurfacing of the following streets:

Gold street, East Sixth street, Dorchester avenue.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 20, requesting that the following streets in Wards 6 and 7 be resurfaced with smooth pavement, under the W. P. A. plan of construction:

Gold street, East Sixth street, Dorchester avenue.

These streets are on a project which has already been approved, and we expect to be able to carry out the construction requested during the present season.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 20, 1938, concerning the resurfacing of the following streets:

Knowlton street, Covington street, Harvest street, Mitchell street, Greenhalge street, West Ninth street, Hatch street, Dixfield street, Gustin street, Newman street, Alger street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, June 30, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return order of the City Council, passed at its meeting of June 20, requesting that the following streets in Ward 7 be resurfaced with smooth pavement, under the W. P. A. plan of construction:

Knowlton street, Hatch street, Covington street, Dixfield street, Harvest street, Gustin street, Mitchell street, Newman street, Greenhalge street, Alger street, West Ninth street.

These streets are on a project which has already been approved, and we expect to be able to carry out the construction requested during the present season.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

City of Boston,
Office of the Mayor, July 18, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 27, 1938, concerning the resurfacing of Dillingham street, Ward 13, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 15, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I have your memorandum of July 7 with attached order of the City Council, requesting that the Commissioner of Public Works resurface Dillingham street, Ward 13, under the W. P. A. plan of construction.

This street has been included in the project which we have submitted for approval, and we hope to be able to do the work requested during the present season.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Severally placed on file.

PETITIONS REFERRED.

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

Claims.

Mary M. Burke, for compensation for damage to car by city cart.

Clare O'Connell, for compensation for injuries caused by an alleged defect at 29 Montebello road.

John Anderson, for compensation for injuries caused by police car.

Atwood Auto Glass and Plating Company, for refund on refuse tickets.

George Ayoub and Edward G. Kanan, to be reimbursed for loss of business at 34 Warren avenue, caused by closing Warren Avenue Bridge.

Jennie Bognore, for compensation for injuries caused by an alleged defect at 229 Maverick street.

Peter M. Conley, for compensation for damage to car caused by an alleged defect in Mt. Vernon street.

Caswald Eastmond, for compensation for damage to car by city truck.

Margaret Fay, for refund on refuse tickets.

Martin Feigen, for compensation for damage to car caused by an alleged defect at Geneva avenue and Columbia road.

Walter J. Forrest, for compensation for damage to property at 6 Weld street, Roslindale, caused during blasting.

Agatha Forrester, for compensation for damage to car caused by an alleged defect in Morton street.

Frank M. Fraine, for compensation for damage to car caused by an alleged defect at 8 Mendum street, Roslindale.

Maria C. Ginty, for compensation for injuries caused by police wagon.

Esther M. Grant, for compensation for injuries and damage to clothing caused by an alleged defect in South street.

Sadie E. Gray, for compensation for injuries caused by city truck.

Mildred N. Green, for compensation for damage to property at 4 Chiswick road, Brighton, caused by repairing water main.

Arthur L. Jackson, for reimbursement for judgment issued against him.

Edwin A. Knight, for compensation for injuries caused by sanitary team.

Virginia Mancini, for compensation for damage to car by city truck.

Thomas F. McConville, for compensation for damage to car by city truck.

Mary E. McGreevey, for compensation for injuries caused by an alleged defect at 44 Perkins street.

Gertrude J. Meroth, for compensation for damage to property at 135 Gardner street, West Roxbury, caused by change of grade of street.

Ethel S. Oliver, for compensation for injuries caused by an alleged defect at 16 Fairfield street.

Leonard Peterson, for compensation for damage to car by city truck.

Jessie Romasco, for compensation for damage to car by city truck.

Rev. John J. Romolo, for compensation for damage to car by city cart.

Harry Rosenberg, for compensation for damage to car by city truck.

Christopher Santuosso, for compensation for injuries by police car.

Samuel Silverstein, for compensation for damage to car by city truck.

Anna M. Williams, for compensation for injuries caused by an alleged defect at 142 Peterborough street.

Executive.

Petition of Mary M. Phelan to be paid an annuity on account of the death of her husband, Henry J. Phelan, late member of the Fire Department.

EXECUTIVE APPOINTMENTS.

Notice was received of the following appointments by the Mayor:

John J. Shields, to be Deputy Commissioner, Penal Institutions Department.

Mrs. Colin W. McDonald, to be Deputy Commissioner, Institutions Department.

John A. Donoghue, to be Street Commissioner.

Daniel J. O'Connell, to be Transit Commissioner.

Severally placed on file.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of Charles B. Broad and Aber Uckerman, having been duly approved by the City Treasurer, were received and approved.

ACCEPTANCE BY BOSTON ELEVATED RAILWAY OF HUNTINGTON AVENUE SUBWAY ACTS.

Notice was received of acceptance by the directors of the Boston Elevated Railway Company of the change in the rental date in accordance with chapter 398, Acts of 1938.

Notice was received of the acceptance by the directors of the Boston Elevated Railway Company of chapter 395 of Acts of 1938, concerning subway extension and underpass at Huntington avenue.

Placed on file.

APPROVAL OF TAX TITLE LOAN.

Notice was received of approval by the State Emergency Finance Board of tax title loan of two million dollars.

Placed on file.

CITY PLANNING BOARD.

Notice was received of the organization of the City Planning Board by the election of Frederic H. Fay as chairman of said Board.

Placed on file.

ORGANIZATION OF PUBLIC WELFARE OVERSEERS.

Notice was received of the organization of Public Welfare Overseers.

Placed on file.

ORGANIZATION OF THE ZONING BOARD.

Notice was received of the organization of the Zoning Board by the election of Frederic H. Fay as chairman and Eliot N. Jones as vice chairman.

Placed on file.

BOSTON WHARF COMPANY.

Notice was received from the Boston Wharf Company to prevent acquisition of easement in land owned by Boston Wharf Company.

Placed on file.

CONFIRMATION OF APPOINTMENTS.

President KERRIGAN called up No. 2 on the calendar, viz.:

2. Action on appointment submitted by the Mayor June 27, 1938, of Martha White, to be a Weigher of Coal.

The question came on confirmation of appointment. Committee, Coun. Chase and Fish. Yeas 15, nays 0, and the appointment was confirmed.

ROBERT GOULD SHAW SCHOOL IMPROVEMENTS.

President KERRIGAN called up No. 3 on the calendar, viz.:

3. 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 one thousand dollars (\$1,000) be, and hereby is, appropriated, to be expended under the direction of the School Committee, for a gymnasium and an assembly hall in and incidental additions to the Robert Gould Shaw School, Robert Gould Shaw District, West Roxbury, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On June 27, 1938, the foregoing order was read once and passed, yeas 16, nays 0.

The order was given its second and final reading and passage, yeas 16, nays 0.

SHOWING FILM "BLOCKADE."

President KERRIGAN offered the following: Ordered, That his Honor the Mayor be requested, if he has not already done so, to take

such action as may be necessary to prevent the showing of the motion picture film "Blockade" in the City of Boston.

Passed under a suspension of the rules.

REPORT OF JITNEY COMMITTEE.

Coun. PETER A. MURRAY, for the Committee on Jitney Licenses, submitted the following reports:

1. On the petition of the Boston Elevated Railway (referred June 27, 1938) to operate motor buses between junction of Huntington avenue, Parker and Hemenway streets and junction of Boylston and Charles streets, over Huntington avenue and Boylston street, and from junction of Huntington avenue and West Newton street over West Newton street, Palmouth street and Norway street to Huntington avenue—recommending the granting of the license.

Report accepted and the license granted.

2. On the petition of the Boston Elevated Railway (referred June 20, 1938) for license to operate motor vehicles between State street and Battery street—recommending that license be granted.

Report accepted and the license granted.

Coun. WILSON—Has the petition of the Eastern Massachusetts, on which we had the hearing last week, been reported?

President KERRIGAN—That is not before us at this time.

Coun. MURRAY—There not being a quorum present at the last meeting, and as there is quite a gap in the route submitted in the petition, we have postponed the matter until the next meeting of the committee.

HANDBALL COURT AT FRANKLIN FIELD.

Coun. ROSENBERG offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to construct a handball court on Franklin Field, same to be constructed as a W. P. A. project.

Passed under suspension of the rule.

RESURFACING OF BOWDOIN AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to resurface with smooth pavement, under the W. P. A. type of construction, Bowdoin avenue, Ward 14.

Passed under suspension of the rule.

RESURFACING OF ELDON STREET.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to resurface with smooth pavement, under the W. P. A. type of construction, Eldon street, Ward 14.

Passed under suspension of the rule.

CONSTRUCTION OF MAGNOLIA STREET.

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, and that the same be constructed under the W. P. A. type of construction, Magnolia street, Ward 14.

Passed under suspension of the rule.

RESURFACING OF MALLON ROAD.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to resurface with smooth pavement, under the W. P. A. type of construction, Mallon road, Ward 14.

Passed under suspension of the rule.

CONSTRUCTION OF GRANT ROAD.

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, under the W. P. A. type of construction, Grant road, Ward 14.

Passed under suspension of the rule.

BUS LINE TO CARSON BEACH.

Coun. ENGLERT and MURRAY 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 Monument square, at Centre and Eliot streets, Jamaica Plain, to Carson Beach, over Centre street, Green street, Glen road, through Franklin Park to Columbia road, thence to Carson Beach, with a five-cent fare; fare with transfer ten cents.

Passed under suspension of the rule.

NAMING OF EUGENE P. MAHONEY SQUARE.

Coun. ENGLERT offered the following:

Ordered, That the space at the junction of Walnut avenue, Seaver street and Columbus square, Ward 11, be named Eugene P. Mahoney square, in honor of said Mahoney, late veteran of the World War.

Passed under suspension of the rule.

CONSTRUCTION OF LEE STREET.

Coun. ENGLERT 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, under the W. P. A. type of construction, Lee street, Ward 11.

Passed under suspension of the rule.

CONSTRUCTION OF SCHOOL STREET PLACE.

Coun. ENGLERT 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, under the W. P. A. type of construction, School Street place, Ward 11.

Passed under suspension of the rule.

SALARY OF GUARDS IN EAST BOSTON TUNNEL.

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 \$2,500 for a six-day week and an additional fifteen days' sick leave per year for all guards in the East Boston Tunnel.

Passed under suspension of the rule.

USE OF TRECOTT SCHOOL FOR HEALTH AND SOCIAL PURPOSES.

Coun. DOWD offered the following:

Whereas, It appears that the use for school purposes of the Trescott School in Hyde Park has been discontinued,

Ordered, That the School Committee be hereby requested to take such action as may be necessary to open the building for use as a health and social center for the Hyde Park district if such discontinuance is temporary, or, if the building is to be abandoned for school purposes, to surrender it to the City Council.

Passed under suspension of the rule.

ACCEPTANCE OF NORTHBOURNE ROAD.

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, under the W. P. A. type of construction, Northbourne road, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF SOUTHBOURNE ROAD.

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, under the W. P. A. type of construction, Southbourne road, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF HALLIDAY 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 as a public highway, under the W. P. A. type of construction, Halliday street, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF FLORENCE STREET EAST.

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, under the W. P. A. type of construction, Florence Street East, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF WOODBOURNE ROAD.

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, under the W. P. A. type of construction, Woodbourne road, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF BOURNE ROAD.

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, under the W. P. A. type of construction, Bourne road, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF GROVER 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 as a public highway, under the W. P. A. type of construction, Grover street, Ward 19.

Passed under suspension of the rule.

ACCEPTANCE OF BAKER AVENUE.

Coun. KELLY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Baker avenue,

Ward 15, as a public highway, under the P. W. A. plan of construction.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.35 p. m., on motion of Coun. TAYLOR, to take a recess subject to the call of the Chair. The members reassembled and were called to order at 3 o'clock by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Mary A. Manning (referred March 21, 1938), recommending passage of the order on annuity of \$2,000 per year to Mary A. Manning and minor children—recommending passage of following:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of two thousand dollars be allowed and paid to Mary A. Manning, widow of John F. Manning, a member of the Police Department, who died on February 6, 1938, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Mary A. Manning, 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: John H. Manning, born September 22, 1929; Edward Manning, born April 19, 1931; Robert Manning, born July 31, 1933; Marie Manning, born May 30, 1936; Donald P. Manning, born April 24, 1938.

The payments to date from February 6, 1938, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report accepted; said order passed.

2. Report on messages and several orders of the Mayor (referred this day) *re* transfers within departmental appropriations—recommending orders ought to pass.

Report accepted; several orders passed, yeas 17, nays 0.

3. Report on message and order of the Mayor (referred this day) *re* accepting grant agreements from the Government on school projects—recommending order ought to pass.

Report accepted; orders passed, yeas 17, nays 0.

4. On the message and order of the Mayor (referred this day), amending ordinance concerning salary of Sealer of Weights and Measures—recommending ordinance ought to pass.

Report accepted; ordinance passed.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. FITZGERALD, for the Committee on Public Lands, submitted the following:

Report on the petition of the trustees of the Holyhood Cemetery Association to use additional land for burial purposes—recommending that the permit be granted.

Coun. WILSON—Mr Chairman, what are we voting on?

President KERRIGAN—We are voting on the granting of permit for the extension of burial purposes of Holyhood Cemetery.

Coun. WILSON—Is it an extension of an existing cemetery?

President KERRIGAN—That is right.

Coun. FITZGERALD—For the Committee on Public Lands, I will state a letter was sent reading as follows:

May 24, 1938.

To the Mayor and the City Council.

Gentlemen,—Respectfully represents your petitioners, the trustees of Holyhood Cemetery Association, a voluntary association, under the supervision of his Eminence, William Cardinal O'Connell, Archbishop of Boston, organized for the purposes of maintaining a cemetery, that they desire to use for burial purposes, and the general purposes of a cemetery, a certain parcel of land situated in West Roxbury, opposite the property

now conducted as St. Joseph's Cemetery by said trustees. Attached hereto is a description of the land sought to be so used.

Wherefore, your petitioners pray that the Mayor and the City Council grant permission to use said land for burial, in accordance with the provisions of the statute in such case made and provided.

Very truly yours,
BOARD OF TRUSTEES,
HOLYHOOD CEMETERY ASSOCIATION.

That is all I know about it.

Question came on the passage of the order, as follows:

Whereas, After due notice and a hearing the Health Commissioner of the City of Boston has approved in writing in a communication dated May 10, 1938, and filed herewith, the location and use for burial purposes of the following described parcels of land:

Ordered, That permission be hereby granted to the trustees of the Holyhood Cemetery Association to use for burial land in the City of Boston bounded and described as follows:

The land in that part of Boston, Suffolk County, Massachusetts, known as West Roxbury, on the southwesterly side of Baker street, containing about 41,500 square feet, bounded and described as follows:

Northwesterly by the Newton line, southeast-erly by land now or formerly of James Driscoll, southwesterly by land now or formerly of Shara Teflah Cemetery Association, northeasterly by the Newton line.

A certain parcel of land with the buildings thereon, situated in that part of Boston known as West Roxbury, being bounded and described as follows:

Beginning on Baker street at land of Esty at the line between the City of Boston and the city of Newton, in the County of Middlesex, thence running southeasterly by said Baker street to land of Sherman L. Whipple; thence turning and running northwesterly by said land of Whipple about 818 feet to a point 165 feet southeasterly from said land of Esty; thence turning and running southwesterly still by said land of Whipple on a line parallel therefrom 2,455 feet to land formerly of Burkhardt, now of the Association of the Evangelical Lutheran Church, thence turning and running northwesterly by said last-named land 165 feet to said land of Esty; thence turning and running northeasterly by said land of Esty, to the point of beginning.

Said parcel containing 14 acres, more or less.

Report accepted; order passed.

MOVING ALLOTMENT TO FAMILIES FORCED TO VACATE FOR HOUSING PROJECT.

Coun. GALVIN offered the following:

Ordered, That his Honor the Mayor be requested to arrange with the Housing Authority for the provision of an emergency moving allotment of \$5.00 to each family forced to vacate their homes through the taking of the property by the Federal Government for the erection of a housing project.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. GALVIN, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of July, 1938.

CONSTABLES REJECTED.

Coun. AGNEW called up No. 1 on the calendar, viz:

1. Action on appointments submitted by the Mayor April 11, 1938, of Constables authorized to serve civil process, viz.: Americo A. DeSimone, Thomas Freedman, Frederick J. Galvin, Howard E. Giroux, Samuel Goldkrand, William C. Gregory, Charles Horowitz, Benjamin Jacobson, Abraham Krinsky, Frank F. Lane, Philip E. Lieberman, Salvatore Maffei, Leslie P. Mann, Harold C. Mitchell, Leonard M. Pike, Oscar G. Ridlon,

Benjamin Rosengarten, Abraham S. Singer, Clifford L. Smith, Samuel Tarle.

On motion of Coun. AGNEW the appointments were indefinitely postponed.

RESURFACING HERMAN STREET.

Coun. TAYLOR offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to resurface with smooth pavement, under the W. P. A. type of construction, Herman street, Ward 12.

Passed under suspension of the rule.

HANDBALL COURTS AT SAVIN HILL PLAYGROUND.

Coun. HUTCHINSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install handball courts on the Savin Hill Playground.

Passed under suspension of the rule.

REPORTS OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on the petition of Arthur J. Wright (referred June 20, 1938)—recommending the passage of the following:

Ordered, That the sum of fifty dollars (\$50) be allowed and paid to Arthur J. Wright in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

2. Report on the petitions of Charles F. Sefton (referred June 27, 1938)—recommending the passage of the following two orders:

Ordered, That the sum of six hundred and thirty-four dollars (\$634) be allowed and paid to Charles F. Sefton in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Department of School Buildings, said sum to be charged to the Contingent Fund.

Ordered, That the sum of fifty-nine dollars and twenty-four cents (\$59.24) be allowed and paid to Charles F. Sexton in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Department of School Buildings, said sum to be charged to the Contingent Fund.

Report accepted; orders passed.

IMPROVEMENT OF PLAYGROUNDS THROUGHOUT THE CITY.

Coun. CAREY offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to institute a W. P. A. project which will provide for the regrading, improvement, repair, etc., of playgrounds throughout the city.

Coun. CAREY—We have here in the city one of the finest park systems to be found throughout the entire country. The Park System is a thing of beauty and ought to be a joy forever. In connection with our Park System we have also a playground development which is being neglected in a very large way. I have been informed by people attending baseball games in the evening and Sunday afternoon that at times it is impossible to see the players in the outfield and I have been receiving complaints from some of the players themselves who are being injured because of the very poor surface of the ball diamonds. It seems it won't take very much money, through a W. P. A. project, to have the surface of these playgrounds gone over and have gravel and loam, or at least topped with loam, and it might be possible to plant grass around the outfield and make these playgrounds something the people can enjoy.

Passed under suspension of the rule.

SERVICE CHARGE ON FURTHER HOUSING PROJECTS.

Coun. WILSON offered the following:
 Ordered, That his Honor the Mayor, if he be inclined to favor any further housing projects in Boston, be requested to insist that any so-called service charge or other fee to be paid annually to the City of Boston as a real estate tax or in lieu of a real estate tax, under the provisions of the Housing Law recently passed by the Massachusetts Legislature, shall at least be based not on the average assessed value of vacant land during the next preceding three-year period, but, as a minimum, shall be based on the assessed value of that equal number of dwelling units which, under the terms of the act, are to be demolished incident to the completion of any new housing project.
 Passed under suspension of the rule.

DEMOLITION OF UNSAFE BUILDINGS THROUGH W. P. A. PROJECT.

Coun. WILSON offered the following:
 Ordered, That his Honor the Mayor be requested to sponsor, in behalf of the City of Boston, a W. P. A. project which will provide for the prompt demolition—
 (a) of unfit buildings now owned by the City of Boston through tax title foreclosure.
 (b) of such privately owned buildings in the city as are determined by the Health Department and Building Department to be unfit and unsafe for habitation.

Coun. WILSON—Mr. President, last April, at my request, the Council passed orders directed both to the Board of Health and the Building Department to make a report concerning the number of unsafe or uninhabitable buildings in the City of Boston and they made that report in May, and, for example, the Health Department reported that there were 360 buildings in Boston both unfit and unsafe for habitation, of which 309 are not even occupied and I am urging, having in mind the money that is being spent for W. P. A. projects, that the City of Boston should fall in line with this type of project which has been sponsored by almost every other city in the country and we should demolish unfit and unsafe buildings which are in the hands of the city incident to tax title foreclosures and, also, through this provision provided in the law, we may also, without cost to the city, demolish these various unfit and unsanitary buildings as reported by the Board of Health and the Building Department. That, in my opinion, is a W. P. A. project which would be of positive benefit as a health measure. It would be a benefit to the other real estate owners in Boston who own adjoining or nearby property, and it is not the type of W. P. A. project that need necessarily call for expert service and I urge the Mayor to sponsor such a project, taking up the project which was started and then abandoned.
 Passed under suspension of the rule.

USE OF ABANDONED FIRE HOUSE ON RIVER STREET FOR DORCHESTER POST HEADQUARTERS.

Coun. WILSON offered the following:
 Ordered, That the Superintendent of Public Buildings be, and he hereby is, authorized, in the name and in behalf of the City of Boston, with the approval of the Mayor, and in form satisfactory to the Law Department, to lease for post headquarters to Dorchester Post No. 498, Veterans of Foreign Wars, for the term of five years, at an annual rental of one dollar a year, the abandoned portion of the fire house on River street, Ward 17, with the right to cancel said lease by giving thirty days' notice in writing of its intention so to do.
 Passed under suspension of the rule.

INFORMATION REQUESTED FROM TRUSTEES OF BOSTON CITY HOSPITAL.

Coun WILSON offered the following:
 Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the

Mayor, to advise the City Council with reference to inquiry made by City Council order passed on April 13, 1938, on the subject of admission to the Boston Sanatorium of Boston residents who may have received public welfare payments.

Coun. WILSON—Mr. President, briefly, I have a few orders here which were passed by the Council some months ago and, no doubt, due to pressure of business, the various department heads have made no response, not only this year and under this administration, but in previous years. Thinking that we, the Board of Directors of the City of Boston, were entitled to some reasonable degree of cooperation with the various city departments, and for that reason I am reintroducing the order. The first of these orders passed as long ago as last April, and provided the answer has not yet come through and perhaps been overlooked, I think we are entitled to know why it is that a person who did receive temporary welfare aid for a period of a few weeks within the last five years is necessarily barred from admission to the hospital facilities of the City of Boston.
 Passed under suspension of the rule.

INFORMATION REQUESTED RE AMOUNTS OF MONEY RECEIVED FROM FEDERAL GOVERNMENT.

Coun. WILSON offered the following:
 Ordered, That the trustees of the Statistics Department be requested, through his Honor the Mayor, to advise the City Council, in accordance with order passed on May 10, 1938, with reference to various amounts of money received by the City of Boston from the Federal Government.

Coun. WILSON—Mr. President, that order was passed by the Council as long ago as the 10th of May and it is the type of information I believe the Council and the general public are entitled to have, although I realize a great deal of the amount of secrecy that does surround W. P. A. payments and P. W. A. payments. The average business house, the average public utility, the average private business—their affairs are, of course, subject to public inspection incident to annual certificates of condition and other matters on file in the State House, and I believe, even though, as I understand, we have got to send to Washington to get the information, that the City of Boston should have available the requested information, the request being made on May 10, telling us the amount of money that Boston in comparison with the other cities of the country is receiving for welfare purposes, the amount allocated to Boston for P. W. A. projects, and the various allotments for C. W. A., E. R. A. and W. P. A. purposes in order that we may make a comparison, as to whether this city is receiving its share of these various Federal payments, which I do not believe will be a very fair comparison for Boston. I believe that is information that we might have expected from the departments within a period of two to three months.
 Passed under suspension of the rule.

BUST OF DR. GEORGE G. SEARS AT BOSTON CITY HOSPITAL.

Coun. WILSON offered the following:
 Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to comply with the City Council order with reference to the completed bust of Dr. George G. Sears, which was passed on June 6, 1938.
 Coun. WILSON—Mr. President that order relating to that particular subject was passed as long ago as the 28th of March. We have no particular interest, direct or indirect, with the artist who completed this particular bust, but I understand that it was authorized and made up at the request of the trustees of the Boston City Hospital back in 1933. I understand that because there has been some dispute between the trustees of the City Hospital and the Boston Art Commission, the artist who completed the bust, who received the order some five years ago, and who spent some \$600 for the bronze of the casting of the bust, is still waiting for the payment of the bill or some final disposition of the item, and with all due respect to the dispute that apparently has existed between the Art Commission and the

trustees of the City Hospital, I believe, for the sake of the good name of the City of Boston, it is an item which on one of these cooler afternoons, after a period of five years, the proper city authorities might sit down and after ten minutes finally iron out.

Passed under suspension of the rule.

REPAIRS TO CITY COUNCIL CHAMBER.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council promptly with reference to inquiries made concerning repairs to the City Council Chamber, in accordance with the order passed by the Council on June 6, 1938.

Coun. WILSON—Mr. President, especially when we hear talk of a proposed project involving City Hall, whether or not that is likely to take place, I believe that the taxpayers of the city and the Council are entitled to an answer to an order passed as long ago as June 6, referring to the repairs done in the City Council Chamber. If my figures are correct the last sitting of the City Council in City Hall was on the 6th of last December. I, for one, understood there was some difficulty with the ceiling and some minor emergency repairs were being made on an emergency basis and, I assumed, not meaning the expenditure of any vast amount of money. It seems to me to be a forgotten land there on the fourth floor, and I think we are entitled to have a response to the order passed on June 6 giving us some idea when these weekly pilgrimages to Faneuil Hall can be put to an end; also some information as to really what, if anything, has been going on behind closed doors of the City Council Chamber on the fourth floor. I don't know whether it ended up as a moderately priced job or whether we are going to have another White Fund job there; but I think at some early date, bearing in mind we have not been in the Council Chamber since the 6th of December, that somebody, somewhere, probably can tell us what are the probabilities of our returning back to the Council Chamber; what work, if any, has been accomplished there; and what expenditure of money has taken place during the period of the last six or seven months.

Passed under suspension of the rule.

ALTERNATE SATURDAYS OFF FOR CITY HOSPITAL EMPLOYEES DURING THE SUMMER.

Coun. WILSON offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to allow employees of the hospital alternate Saturdays off during the summer season.

Coun. WILSON—Mr. President, that order was passed at the request of Councilors Carey and Irwin and I believe the explanation was to the effect that the employees themselves, or some committee, had stated they did not desire the alternate Saturdays off. I am advised by some of the employees, perhaps those who were not on the picked committee, that the information is incorrect and that the City Hospital employees would like to be treated substantially like other employees of Boston during the summer time.

Coun. CAREY—Mr. President, I am constantly in receipt of requests asking for either every Saturday off or every other Saturday off, so I know very well there is a great desire there and nothing has been done. Regardless of any complaints we might have, or any information we might have, that the employees do not want Saturdays off, they certainly do want them off and I hope favorable action will be taken at this time.

Passed under suspension of the rule.

REQUESTED SURVEY WITH A VIEW TO ERECTING HOUSING PROJECT IN LOWER END OF SOUTH BOSTON.

Coun. GEORGE A. MURRAY offered the following:

Ordered, That his Honor the Mayor request the Housing Authority to make an immediate survey of the lower end of South Boston, in the vicinity of Dorchester and D streets, with the view of erecting a housing project in that section.

Passed under suspension of the rule.

On motion of Coun. FITZGERALD, the Council voted to adjourn, at 3.30 p. m., to meet on Monday, August 1, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 1, 1938.

Regular meeting of the City Council at Faneuil Hall, at 2 o'clock p. m.

In the absence of a quorum, President KERRIGAN declared the meeting adjourned, to meet again, under the rules, on Monday, August 8, 1938, at 2 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 8, 1938.

Regular meeting of the City Council held in Faneuil Hall, at 4.30 p. m., President KER-RIGAN presiding. Absent, Coun. Peter A. Murray, Norton

JURORS DRAWN.

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

Sixty-five traverse jurors, Superior Criminal Court, to appear September 12, 1938:

Charles J. Acres, Ward 1; William Lamb, Ward 1; Franklin P. Webber, Ward 1; Andrew V. Buckley, Ward 2; Dennis J. Kelly, Ward 2; Thomas F. McCue, Ward 2; William H. Morley, Ward 2; Francis Strout, Ward 2; Israel Harfield, Ward 3; Maurice G. Perry, Ward 3; Albert J. Cayer, Ward 4; Charles F. Starratt, Ward 4; John P. Horgan, Ward 6; Timothy Moynihan, Ward 6; James Whelpley, Ward 6; John F. Dempsey, Jr., 2d, Ward 7; James C. Mitchell, Ward 7; George Padden, Ward 7; Daniel O'Keefe, Jr., Ward 9; James E. Blood, Ward 11; Joseph J. King, Ward 11; Joseph Patrick McCluskey, Ward 11; Frederick C. Hunnefeld, Ward 12; John MacLane, Ward 12; Joseph McEllaney, Ward 12; Robert T. Nelson, Ward 12; David F. O'Keefe, Ward 12; Fred W. Riggs, Ward 12; James E. Boone, Ward 13; Frederick T. Boyle, Ward 13; Charles E. Coffey, Ward 13; John P. Loughan, Ward 13; Francis P. Moran, Ward 13; Fred A. Reardon, Ward 13; Joseph Sawyer, Ward 14; Joseph Van Dam, Ward 14; Thomas M. Culloty, Ward 15; Henry Goldsmith, Ward 15; James J. Tivenan, Ward 16; Edward J. Dwight, Ward 17; James MacDonald, Ward 17; George E. Magoun, Ward 17; Abraham Silverman, Ward 17; David H. Steiman, Ward 17; Earl M. Carriere, Ward 18; Andrew H. Seavey, Ward 18; Arthur E. Bubinger, Ward 19; John W. Creagh, Ward 19; Harold E. Keyes, Ward 19; William H. Winchenbach, Ward 19; Alfred Y. Christie, Ward 20; Joseph Gimber, Ward 20; Philip Gould, Ward 20; Richard Haughland, Ward 20; Adin G. Newton, Ward 20; Ward C. Prescott, Ward 20; Edward F. Simon, Ward 20; Albert W. Smith, Ward 20; Emerson B. Wentworth, Ward 20; Joseph E. Brown, Ward 21; Frank Elliott Ferguson, Ward 21; Nathan Sudhalter, Ward 21; William F. Killian, Ward 22; William J. McLaughlin, Ward 22; Thomas F. White, Ward 22.

Ninety-eight traverse jurors, Superior Civil Court, July Sitting, to appear September 12, 1938:

John Cuzzo, Ward 1; Harold Forshner, Ward 1; Ralph Hanton, Ward 1; Brendan A. Kelly, Ward 1; Frederick E. Lynch, Ward 1; Walter E. Morton, Ward 1; Victor Souza, Ward 1; Henry S. Surette, Ward 1; Francis T. Hallahan, Ward 2; Charles C. Hawkins, Ward 2; Walter J. Billings, Ward 3; Louis Green, Ward 3; Roger W. Lee, Ward 3; John F. Sullivan, Ward 3; Hayes Alexander, Ward 4; Francis H. Dolan, Ward 4; John F. Kirby, Ward 4; Alexander M. Matheson, Ward 5; Samuel E. Noble, Ward 5; Hjalmar M. Bolstad, Ward 6; Charles L. Farren, Ward 6; William E. Greaves, Ward 6; George H. Lucas, Ward 6; Thomas J. Murphy, Ward 6; Letterio Palizzolo, Ward 6; Walter F. Sennett, Ward 6; John L. White, Ward 6; Henry J. Cassidy, Ward 7; Frank S. Miner, Ward 7; Thomas F. Murphy, Ward 7; Stanislaus Wojciechowski, Ward 7; George H. Walsh, Ward 8; Clarence M. Bixby, Ward 9; George A. Wallace, Ward 9; John J. Gillis, Ward 11; John T. Dobbins, Ward 12; Arthur F. Nowell, Ward 12; Martin

C. Riordan, Ward 12; Willard M. Schofield, Ward 12; Fred E. Thurlow, Ward 12; Thomas J. Boland, Ward 13; Edward Connolly, Ward 13; William J. Egan, Ward 13; Joseph L. Lane, Ward 13; James A. MacDonald, Ward 13; Joseph Lesberg, Ward 13; Louis Goretsky, Ward 14; Francis P. Howland, Ward 14; Ralph Kabler, Ward 14; Irving Lechten, Ward 14; Joseph Selden, Ward 14; Harry B. Wensky, Ward 14; James R. Barron, Ward 15; John E. Doyle, Ward 15; Maurice C. McNulty, Ward 16; Edward F. Murphy, Ward 16; George F. Willard, Ward 16; Ernest S. Baxter, Ward 17; Maurice F. Bemis, Ward 17; John A. Doherty, Ward 17; William J. Holland, Ward 17; Daniel R. McLean, Ward 17; Frank O. Tibbetts, Ward 17; Horace F. Walsh, Ward 17; Joseph R. Walsh, Ward 17; Frank A. Braley, Ward 18; William H. Brown, Ward 18; George R. Ellison, Ward 18; Oscar K. Leaf, Ward 18; John B. Lennon, Ward 18; Herman Levy, Ward 18; William J. Manson, Ward 18; Charles Ivan MacEachern, Ward 18; David R. McKay, Ward 18; Walter W. Spaulding, Ward 18; Maurice A. Alexander Ward 19; J. Joseph Callahan, Ward 19; Patrick J. Forrester, Ward 19; Theodore R. Hanson, Ward 19; Alton P. MacKay, Ward 19; John H. Mahoney, Ward 19; John J. Monahan, Ward 19; John F. Pemple, Ward 19; Henry F. Tilden, Ward 19; Llewellyn L. Cross, Ward 20; John J. Farrell, Ward 20; Bernard S. Harvey, Ward 20; Carl A. Himberg, Ward 20; Edward A. Melia, Ward 20; Frederick J. Petersen, Ward 20; Theodore E. Rietzel, Ward 20; George B. Roche, Ward 20; Benjamin Askey, Ward 21; James F. Doogan, Ward 21; Arthur H. Harrison, Ward 21; Edward J. Collins, Jr., Ward 22; William G. Driscoll, Ward 22; Thomas J. Ford, Ward 22.

ACCEPTANCE OF BUILDING CODE.

The following was received:

City of Boston,

Office of the Mayor, August 3, 1938.
To the City Council.

Gentlemen.—By a resolve of the General Court adopted in 1937 a special commission was established to investigate the laws regulating the construction, alteration and maintenance of buildings and other structures in the City of Boston. The commission spent some four months in the investigation, and were assisted by public-spirited professional and business men and organizations concerned with buildings and their construction. The result was a proposed new building code for the City of Boston, which, with some changes, was enacted by the Legislature in chapter 479 of the Acts of 1938. This act becomes effective upon its acceptance by the City Council, with the approval of the Mayor, and I submit herewith a copy of it for your consideration.

The law as it is enacted must either be accepted or rejected, and while it seems almost imperative to accept it in order to remedy the present chaotic condition I am not entirely in sympathy with this method of legislating for the City of Boston. In this connection the history of the building laws of the city may be of some interest.

At a session of the General Court held October 15, 1679, it was enacted that no dwelling house in Boston shall be erected and set up, except of stone or brick, and covered with slate or tile, unless by allowance and liberty obtained otherwise from the Magistrates, Commissioners and Selectmen of Boston or major part of them.

This act was passed in consequence of the great fire of August 8, 1679, which destroyed seventy warehouses, eighty dwellings and all the vessels lying at the Town Dock. The loss amounted to about a million dollars. In the ensuing one hundred and fifty years many other acts regulating wooden buildings in Boston followed. During all this period no authority was granted to any city or town to regulate the construction of buildings, except for the special statutes in relation to wooden buildings. These special statutes apparently were passed solely for the purpose of lessening fire hazard.

In 1868 the building problem in Boston had become acute, and the City Council petitioned the Legislature for the right to establish a department for the regulation and inspection of

buildings. It was a matter of three years before an acceptable bill was drafted by the committees of the City Council who were assisted by the Boston Society of Architects and the leading mechanics and construction men of the city.

The result was the enactment of chapter 280 of the Acts of 1871, which authorized the establishing of a department for the survey and inspection of buildings; regulated in general terms the construction and materials of buildings, with special attention to tenement or lodging houses and theaters; and provided that thereafter no building should be erected or altered without a permit from the Inspector of Buildings.

The attention of the Legislature having been directed to the desirability of regulating building construction the special act for the City of Boston was followed by a general act, chapter 243 of the Acts of 1872, which authorized all the other cities and towns to regulate by ordinance the inspection, construction and use of buildings in their several territories.

This statute, with some additions, has remained in force and is now contained in chapter 143 of the General Laws. Every city or town in the Commonwealth, except Boston, has the right to establish by ordinance, with certain general restrictions, its own building code and to regulate and control the construction of buildings.

The precedent of legislating for Boston having been established the Legislature found itself under the necessity of almost constantly tinkering with an inelastic building law. Between 1871 and 1885 it was amended fifteen times; in 1885 it was rewritten (chapter 374); it was again amended five times and again revised in 1892 (chapter 419). Each year thereafter it was amended, twenty-six times in all, until 1907 when it was again revised (chapter 550). In the next thirty years it was amended one hundred and thirty-five times. The present act is the fourth general revision, and it is fair to assume that the experience of previous years will be repeated.

I am convinced that this method of dealing with the problem of building laws is unscientific and illogical. The building code offered to the City of Boston by the Legislature contains 450 pages, of which at least 250 are given over to formulas, specifications and tables which are entirely engineering in their inception and application. The code itself is presumed to approach perfection, but so was the code of 1907, which was amended one hundred and thirty-five times.

It is obviously ridiculous that the Legislature should be called upon at every session in the form of solemn enactments, to make minor adjustments in the building code of Boston, when such matters could easily be handled by granting to the Mayor and City Council of Boston the same rights of regulating building construction that are already granted to the mayors and city councils of other cities.

After the acceptance of this act by the City Council it is my intention to apply to the General Court at its next session for suitable legislation to establish the building code as an ordinance of the City of Boston, with such further provision as may be necessary to enable the City Council to amend it from time to time and hereafter to deal with the whole subject by ordinance.

Respectfully submitted,
MAURICE J. TOBIN, Mayor.

Ordered, That chapter 479 of the Acts of 1938 entitled "An Act for Codification, Revision and Amendment of the Laws Relative to the Construction, Alteration and Maintenance of Buildings and Other Structures in the City of Boston," be, and hereby is, accepted.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Margaret T. Aieta, for refund on dog license.
Anne Aylward, for compensation for injuries caused by an alleged defect in Boylston street.
W. H. Ballard Company, for compensation for damage to property at Sudbury and Bowker streets, caused by dump truck.

Minnie Banks, for compensation for damage to property at 217 West Canton street, caused by horse-drawn cart.

Beach Street Trust, for rebate on taxes overpaid.
Antonio Bonivino, for refund on pedler's license.

Boston Ring and Gasket Company, for compensation for damage to property at 1 Brighton avenue, caused by water backing into store.

Carpenter & Paterson, Inc., for compensation for damage to truck by county van.

Continental Baking Company, for compensation for damage to truck by city truck.

Catherine Coon, for compensation for injuries caused by fire engine.

Patrick J. Corcoran, for compensation for damage to car caused by an alleged defect at 100 Walworth street.

Frederick P. Craven, to be reimbursed for execution issued against him.

Maurice S. Epstein, for compensation for injuries caused by city truck.

Alphonso Fermano, for compensation for damage to property at 54 Gordon avenue, Hyde Park, caused by overflow of Stony Brook.

Angelo Foppiano, to be reimbursed for execution issued against him.

Daniel Forlizzi, for compensation for injuries caused by city truck.

Jacob Freeman, for refund on fish, fruit and vegetable license.

Alice K. Healy, for compensation for injuries caused by an alleged defect at 3162 Washington street.

Thomas J. Herald, for compensation for damage to car caused by an alleged defect in East Boston Tunnel.

Joseph Katz, for refund on dog license.

Edward H. Lally, for compensation for injuries caused by an alleged defect in South Market street.

Joseph Lazzara, for compensation for injuries caused by city employees.

Veola C. Mason, for compensation for injuries caused by an alleged defect at Summer and Washington streets.

Isabelle McFarland, for compensation for damage to car by city wagon.

Helen Murphy, for compensation for damage to property at 12 Clover street, Neponset, caused by leak in water pipe.

Thomas W. O'Connor, for compensation for loss of articles stolen from locker at Franklin Field.

C. Pappas Company, for compensation for damage to property at 165 North street, caused by water from street.

Charles Patterson, for compensation for loss of clothing stolen from locker at Carson Beach.

Emily A. Quinn, for compensation for damage to property at 11 Water street, caused by leak in water pipe.

Salvatore Rocco, for compensation for damage to car by city cart.

Joseph Stanley Rosenthal, for compensation for damage to car caused by an alleged defect at Dale and Paulding streets.

Barnett R. Sandler, for compensation for damage to car by city wagon.

Salvatore Sorgi, for compensation for damage to property at 83 King street, caused by broken drain pipe.

Universal Motor Mileage Corporation, for compensation for damage to truck by city truck.

A. L. Wells, Inc., for refund on agent's license.

Fred Wilson, for compensation for injuries caused by drill dropped on foot.

Arthur A. Wasserman, for compensation for damage to property caused by break in water main.

COMMITTEE ON JITNEY LICENSES.

Petition of the Eastern Massachusetts Street Railway Company for license to operate motor vehicles between Mattapan square and Haymarket square.

Petition of Johnson Bus Lines, Inc., for license to operate motor vehicles from Dedham line to Park square.

Executive Committee.

Petition of Edith M. Donnelly to be paid an annuity on account of the death of her husband Michael A. Donnelly, late member of the Fire Department.

APPOINTMENTS BY THE MAYOR.

Notice was received from the Mayor of the appointment of James J. McCarthy to be a member of the Boston Port Authority.
Placed on file.

APPOINTMENT OF ROBERT P. SHEA.

Notice was received from the Commissioner of Public Works of the appointment of Robert P. Shea as division engineer of the Sewer Division.
Placed on file.

APPOINTMENT BY THE MAYOR.

Notice was received from the Mayor of the appointment of Joseph F. Coughlin as Sealer of Weights and Measures.
Placed on file.

APPROVAL OF TAX TITLE LOAN.

Notice was received of approval by the State Emergency Finance Board of tax title loan renewal of \$1,300,000.

Placed on file.
Notice was received of approval by the State Emergency Finance Board of loans for public works projects.
Placed on file.

MINOR'S LICENSE.

President KERRIGAN submitted report recommending issuance of license to Rocco Cellucci as a newsboy. Approved by the Council and license granted under usual conditions.

CONSTABLE'S BOND.

The constable's bond of Bernard M. Mullen having been duly approved by the City Treasurer was received and approved.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from W. H. Ellis & Son Company of interest in contract with the city.
Placed on file.

CONFIRMATION OF APPOINTMENTS.

President KERRIGAN called up No. 1 on the calendar, viz.:

1. Action on appointments submitted by the Mayor July 18, 1938, of Michael J. Frawley, to be a Weigher of Goods; George F. Hartnett, to be a Measurer of Wood and Bark; and Nicholas A. Burchkart, to be a Weigher of Coal and a Measurer of Wood and Bark.

The question came on confirmation of appointments. Committee, Coun. Irwin and Sullivan. Yeas 13, nays 0, and the appointments were confirmed.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Annie T. Sheehan (referred March 28, 1938)—recommending passage of following:

Ordered, That under the provisions of chapter 340 of the Acts of 1933 an annuity of one thousand dollars be allowed and paid to Annie T. Sheehan, widow of James F. Sheehan, a member of the Fire Department who died on March 7, 1938, on account of injuries received in the performance of his duty, said annuity to continue so long as she remains unmarried; the payments to date from March 7, 1938, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; said order passed.

2. Report on petition of Helen V. Bradley (referred May 2, 1938)—recommending passage of following:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of twelve hundred dollars be allowed and paid to Helen V.

Bradley, widow of Philip J. Bradley, a member of the Fire Department who died on April 3, 1938, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Helen V. Bradley, so long as she remains unmarried, \$1,000 per annum.

For the following-named child during such time as he is under the age of eighteen or over said age and physically or mentally incapacitated from earning, \$200 per annum, Robert X. Bradley, born February 23, 1928.

The payments to date from April 3, 1938, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; order passed.

REPAIRS TO COUNCIL CHAMBER.

Coun. WILSON offered the following:

Ordered, That the President of the City Council be requested to appoint a committee of three members to wait upon the Mayor with reference to the question of delayed repairs on the fourth floor of City Hall.

Coun. WILSON—Mr. President, very briefly, the Council as long ago as the sixth of June passed an order unanimously requesting the Public Buildings Commissioner, through his Honor the Mayor, to advise the Council what work was being done on the City Council Chamber, the last date on which actual work was done; the cost of all work involving the City Council chamber to date with the items and dates when the chamber would be available. That was passed June 6 and a further order on July 18. With some other members of the Council I had occasion to go into the Council chamber this past week. I personally believe that hearing in mind that the last session of the Council, apparently from our records, was November 22, and that we have been out of there for some nine months; bearing in mind that the council Chamber, if you have not seen it, would remind you of some neglected broken down silo on an abandoned farm down East, I believe perhaps we have a little more responsibility about the fourth floor than perhaps other buildings of the City of Boston. It is amazing to see the mahogany desks used by members of the Council absolutely unprotected either from dust or the leaking roof and the President's stand, which I believe is solid mahogany, fifty or seventy-five years of age totally unprotected against plaster and wet and the elements. Looking up through the ceiling of City Hall you can see the sky through the roof. I personally believe if we were trustees of the White Fund or some estate we would be subjected to the severest criticism if we allowed a piece of public property such as the City Council chamber of City Hall to remain in that condition of rack and ruin for a period of nine months with absolutely nothing being done, and I think perhaps the only way to move something is for the Chair to appoint a committee to wait on the Mayor and go up there and see what can be found out about the situation. So far as I can see there has been more rack and ruin and waste than improvement in the past nine months.

Passed under suspension of the rule.

Coun. FITZGERALD—I have an order to offer along that same line and if the Council has no objection I would like to offer the order.

Coun. FITZGERALD offered the following:

Ordered, That the City Messenger confer with the Superintendent of Public Buildings to consider the advisability of removing the office partitions in Room 49 in order that Room 49 may be used for the meetings of the Boston City Council, pending the repairs of the present Council chamber.

Passed under suspension of the rule.

President KERRIGAN—The Chair will appoint Coun. Wilson, Agnew and Fitzgerald as a committee of three.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. FITZGERALD, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred June 27, 1938) for exchange of certain land on Centre street, between the Home Savings Bank

and the City of Boston—recommending that same ought to pass.

Report accepted; said order passed, yeas 18, nays 0.

ACCEPT AND LAY OUT STANWOOD STREET

Coun. ROSENBERG offered the following:

Ordered, That the Board of Street Commissioners, through his Honor the Mayor, be requested to accept and lay out as a public highway Stanwood terrace, Ward 14.

Passed under suspension of the rule.

STOP SIGN AT NORMANDY AND SEAVER STREETS.

Coun. ROSENBERG offered the following:

Ordered, That the Traffic Commissioner, through his Honor the Mayor, be requested to erect a "Stop Caution" sign at the corner of Normandy street and Seaver street, Ward 14, to safeguard this particular intersection from accident hazards, the sign to be placed on Normandy street.

Passed under suspension of the rule.

SIDEWALK ON ELEANOR STREET.

Coun. AGNEW offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Eleanor street (both sides), from Cambridge street to Ridgmont street, Ward 21, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

LOCKERS AND LIFE GUARDS AT NORTH END BEACH.

Coun. FITZGERALD offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to place the lockers at the North End Park and

Beach in proper condition, and that three extra life guards be placed at the North End Park and Beach until the bathing season is over.

Passed under suspension of the rule.

TRANSFER OF PROPERTY FROM PUBLIC BUILDINGS TO PARK DEPARTMENT.

Coun. GALVIN offered the following:

Ordered, That the care and custody of the property now owned by the city at numbers 11, 13, 15 and 17 Mead street, Ward 2, be transferred from the Public Buildings Department to the Park Department.

Referred to the Executive Committee.

ESTABLISHMENT OF PLAYGROUND AT MEAD STREET.

Coun. GALVIN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to establish a playground for children on the city-owned property at numbers 11, 13, 15 and 17 Mead street, Ward 2, as a W. P. A. project.

Passed under suspension of the rule.

LAY OUT AND ACCEPT MURRAY COURT.

Coun. IRWIN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Murray court, Ward 1, as a public highway.

Passed under suspension of the rule.

LAY OUT AND ACCEPT GOLDSMITH STREET.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Goldsmith street, Ward 11, as a public highway.

Passed under suspension of the rule.

Adjourned, at 5.10 p. m., to meet on Monday, August 15, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 15, 1938.

Regular meeting of the City Council held in Faneuil Hall, at 2 p. m., President KERRIGAN presiding. Absent, Coun. Harris, Sullivan.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, for the term ending April 30, 1939:

Constables with authority to serve civil process upon the filing of a bond: William F. Dwyer, 175 Poplar street; Joseph G. Geary, 319 Huntington avenue; Irving E. Bennett, 20 Deckard street; John J. O'Brien, Jr., 7 Castleton street; Martin Kendrick, 587 Ashmont street.

Respectively laid over for one week under the law.
Arthur L. Barry, 1615 Commonwealth avenue, as a weigher of goods.
Laid over one week under the law.

DEMOLITION OF UNSAFE BUILDINGS BY W. P. A. PROJECT.

The following were received:

City of Boston,
Office of the Mayor, August 11, 1938.

To the City Council,
Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of July 18, 1938, relative to W. P. A. projects for demolition of buildings.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, August 2, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.
Subject: City Council order relative to W. P. A. Projects for Demolition of Buildings.

Dear Sir,—Complying with instructions in your communication to me, dated July 28, 1938, with copy of order sponsored by Councilor Wilson, dated July 18, 1938, relative to W. P. A. projects for demolition of unsafe buildings, I report as follows:
(a.) "Project for the demolition of unfit buildings now owned by the City of Boston through tax title foreclosure."

Relative to this request, I know that there is being formulated by the Public Buildings Department a W. P. A. project to accomplish the work. Consequently I refer to you that department for further information.

(b.) "Of such privately owned buildings in the city as are determined by the Health Department and Building Department to be unfit and unsafe for habitation."

I am informed by W. P. A. authorities that Federal funds cannot be expended through the agency of W. P. A. projects to raze privately owned buildings. Therefore, any razing operations relating to privately owned buildings would have to be instituted by the private owners themselves, or in the case of extremely dangerous buildings, which due to their structurally unsafe condition are a hazard to the public, by the Building Department.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

Placed on file.

City of Boston,
Office of the Mayor, August 11, 1938.

To the City Council,
Gentlemen,—I transmit herewith a letter from the Superintendent of Public Buildings relative to your order of July 18, 1938, concerning the W. P. A. project which would provide for the prompt

demolition of unfit buildings now owned by the City of Boston through tax title foreclosure, and (b) of such privately owned buildings in the city as are determined by the Health Department and Building Department to be unfit and unsafe for habitation.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Buildings Department, August 5, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Referring to section "a" of the attached order of the City Council, I have to inform you that this department has already submitted to the Federal authorities a project providing for the demolition of various tax title properties and we are at present awaiting their approval.

Regarding section "b," this matter has been referred to the Building Department for their consideration.

Very truly yours,
LEO F. POWER,
Superintendent of Public Buildings.

Placed on file.

LOAN OF \$175,000 TO CONTINUE W. P. A. PROJECTS.

The following was received:

City of Boston,
Office of the Mayor, August 15, 1938.
To the City Council.

Gentlemen,—In order to continue the W. P. A. projects in the Paving Service of the Public Works Department, upon which approximately 8,000 men are now employed, a number far greater than was anticipated at the time of fixing the budget allotment, it is necessary that additional funds be made available immediately.

These funds are to be used as the city's contribution in the form of materials for street construction work throughout the city.

The entire labor charge for these 8,000 men, in addition to some material contribution, is borne by the Federal Government.

I cannot too strongly recommend the all around benefits conferred upon our city by employment to its citizens and improvements to its roadways through the continuance of these projects.

I therefore respectfully submit herewith a loan order in the sum of \$175,000, and recommend immediate consideration by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That in accordance with the provisions of chapter 58 of the Acts of 1938, a loan in the sum of \$175,000, outside the debt limit, be, and hereby is, authorized, and that the City Treasurer, upon the request of the Mayor, be authorized to issue bonds or notes therefor, and that the said sum of \$175,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works in accordance with the provisions of chapter 58 of the Acts of 1938, for the following purposes:

- Public Works Department, Paving Service.
II. Relief Projects.....\$175,000
Referred to the Executive Committee.

SALARY OF GUARDS IN EAST BOSTON TUNNEL.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of July 18, 1938, concerning the placing in the budget for the coming year a sufficient sum of money to provide for an annual salary of \$2,500 for a six-day week and an additional fifteen days' sick leave per year for all guards in the East Boston Tunnel.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, August 4, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning herewith copy of order passed by the City Council on July 18, relative to placing sufficient money in the 1939 budget to provide a six-day week, with fifteen days' sick leave, and an increase in salary to \$2,500, for tollmen guards working at the Sumner Tunnel.

The acceptance of this order would oblige us to employ six additional tollmen guards, and would necessitate the providing of \$36,949.60 in excess of the current budget to carry out the provisions of this order.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

FUNDS TO MEET TEMPORARY COURT HOUSE QUARTERS.

The following was received:

City of Boston,
Office of the Mayor, August 15, 1938.
To the City Council.

Gentlemen,—Since the start of the construction of the new addition to the Suffolk County Court House several County divisions have been housed in temporary quarters in Young's Hotel. The lease for these quarters was executed by the commission in charge of the erection of the new addition and the rental paid from funds under the commission's control. I am advised that the members of the commission are now of the opinion that they can make no further funds available for the rental of the temporary quarters, and that they have given notice to the owners of the property of their intention to cancel the lease as of the last day of the current month. Since the new addition is not ready for occupancy the temporary quarters must be utilized for some months to come. It is therefore incumbent upon the County to provide funds to meet rental payments subsequent to September 1.

Under the provisions of chapter 128 of the Acts of 1937 the city was authorized to use "For the General Purposes of the County of Suffolk" the balance of \$14,326.23 remaining in a special fund entitled Superior Court, Civil Session, Fees, etc. Since the payment of rentals for temporary court house accommodations would appear to represent expenditures for general County purposes, I submit herewith an order providing for the appropriation of the balance in the aforesaid special fund to meet rentals on Young's Hotel while occupied by County divisions, pending the completion of the new court house addition. Under the terms of the lease with the owners of Young's Hotel all rental payments will be applied to the payment of taxes of prior years still outstanding on the books of the city on the property in question. I respectfully recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That in accordance with the provisions of chapter 128 of the Acts of 1937 and an order of the Superior Court entered on June 10, 1937, the sum of \$14,326.23 be, and the same is hereby, appropriated, from the reserved account—Superior Court, Civil Session, Fees, etc., for general purposes of the County of Suffolk as follows:

Temporary Court House Accommodations,
Rental of.....\$14,326 23

Referred to the Executive Committee.

SALE OF FIREBOAT "THOMAS A. RING."

The following was received:

City of Boston,
Office of the Mayor, August 15, 1938.
To the City Council.

Gentlemen,—In the attached communication the Fire Commissioner asks permission to dispose

of the old fireboat, Engine 31, which is out of commission and which has been abandoned for fire purposes.

There seems to be no other department of the city which could use the boat to any advantage, and accordingly I recommend the passage of the accompanying order.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, March 31, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have had a survey made of the fireboat "Thomas A. Ring," old Engine 31, which has been condemned and which is of no further use as a fireboat to this department. It is estimated that \$1,000 would be a fair price for the boat in its present condition, and, accordingly, I respectfully request that permission be obtained from the City Council for the sale of the boat. If no offers are made for it then it might be auctioned.

I would suggest that in addition to advertising in the *City Record* that an advertisement be placed in some of the marine papers.

Respectfully yours,
WILLIAM ARTHUR REILLY,
Fire Commissioner.

Ordered, That the Fire Commissioner be, and hereby is, authorized to sell, at public auction, at an upset price of \$1,000, the fireboat "Thomas A. Ring," old Engine 31, which is of no further use to the Fire Department.

Referred to the Executive Committee.

AMOUNT OF MONEY RECEIVED BY BOSTON FROM FEDERAL GOVERNMENT TO DATE.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.
Gentlemen,—I transmit herewith a letter from the Statistics Department relative to your order of May 10, 1938, concerning the annual figures from 1933 to date, giving the amount of money received by the City of Boston from the Federal Government.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Statistics Department, July 28, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—This department is in receipt of memorandum from William T. Doyle, Chief Clerk, transmitting copy of City Council order of May 10, requesting the annual figures from 1933 to date, giving the amount of money received by the City of Boston from the Federal Government:

1. As direct grants for Welfare purposes.
2. As money allocated to the City of Boston for P. W. A. projects.
3. As allotments for C. W. A., E. R. A. and W. P. A. purposes.
4. As payments to the City of Boston for Old Age Assistance and Mothers' Aid cases.

On June 21, when assuming the office of chairman, I proceeded to communicate with sources of information and correspondence has passed between this department and the following:

- (a) Public Welfare Department of Boston.
- (b) Boston office of P. W. A. at 306 Barristers Hall.
- (c) Regional Director, P. W. A. Region No. 1, 2 Lafayette street, New York City.
- (d) Assistant Administrator, Federal Emergency Administration of Public Works, Interior Building North, Washington, D. C.
- (e) District Administrator, W. P. A., 1 Beacon street, Boston.
- (f) State Administrator, W. P. A., 600 Washington street, Boston.

While it has been impossible to obtain all the information requested by the City Council, the attached schedule shows in detail the figures which were secured.

Respectfully submitted,
ROBERT F. DONIGAN, Chairman.

SCHEDULE OF GRANTS, ALLOCATIONS AND ALLOTMENTS.

| | | | |
|---|----------------|----|-----------------|
| Direct Grants for Welfare Purposes: | | 1. | |
| 1933 | \$1,994,457 31 | | |
| 1934 | 50,000 00 | | \$2,044,457 31 |
| | | | |
| Allocations for P. W. A. Projects: | | 2. | |
| Figures not available. (Extract from letter of Assistant Administrator: "I regret that I am unable to comply with your request. I am sure that you will appreciate that our facilities and personnel at the present time are engaged in getting the new program under way, and because it is moving so rapidly we are unable to devote any portion of our limited facilities to compiling this information.") | | | |
| | | | |
| Allotments for C. W. A., E. R. A., W. P. A.: | | 3. | |
| November, 1933, to March, 1934, C. W. A. | \$3,973,642 00 | | |
| March, 1934, to December, 1935, E. R. A. | 25,129,046 00 | | |
| October, 1935, to May, 1938, W. P. A. | 39,034,544 00 | | 68,137,232 00 |
| | | | |
| Mothers' Aid: | | 4. | |
| 1936 | \$62,390 00 | | |
| 1937 | 339,067 01 | | |
| 1938 (through June 30) | 125,752 03 | | 527,209 04 |
| | | | |
| Old Age Assistance: | | 5. | |
| 1936 | \$590,205 84 | | |
| 1937 | 1,518,584 35 | | |
| 1938 (through June 30) | 949,337 99 | | 3,058,128 18 |
| Total (exclusive of P. W. A.) | | | \$73,767,026 53 |
| Placed on file. | | | |

RESURFACING WARD 3 STREETS.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 27, 1938, concerning the resurfacing of Howard, Bulfinch and Joy streets.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 18, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning herewith order of the City Council of June 27 relative to the resurfacing of Howard, Bulfinch and Joy streets.

Joy street is on the list for construction this year, but, due to the construction of the court house, we do not feel that it will be advisable to resurface Howard and Bulfinch streets until the court house is completed.

Respectfully yours,

GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING OF KANE STREET.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of June 27, 1938, concerning the resurfacing of Kane street under a W. P. A. project.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, July 18, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning herewith Council order of June 27 relative to the resurfacing of Kane street under a W. P. A. project.

We are going to submit Kane street for reconstruction this year, but we do not believe, due to the great number of W. P. A. projects that we have already submitted, that we will be able to resurface this street until the spring of 1939.

Respectfully yours,

GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

HANDBALL COURT AT FRANKLIN FIELD.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of July 18, 1938, concerning the construction of a handball court on Franklin Field.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 27, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have memo. from your office, dated July 25, relative to Council order of July 18, 1938, that the Park Commissioner be requested to construct a handball court on Franklin Field.

Please he informed that every consideration will be given this request, although handball courts in the past have been removed from various playgrounds for the reason that they were used at night principally for sanitariums and had also been deliberately set afire by vandals a number of times. Whether or not they would leave a handball court standing during the winter months would have to be carefully considered.

Also, the construction of this court would have to be a W. P. A. project, as the department has no funds available for such work.

Respectfully yours,

WILLIAM P. LONG, Chairman.

Placed on file.

HANDBALL COURT AT SAVIN HILL PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of July 18, 1938, concerning the installation of a handball court on the Savin Hill Playground.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 27, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have memo. of July 25 from your office relative to Council order that the Park

Commission be requested to install handball courts on the Savin Hill Playground.

Please be informed that every consideration will be given to this order.

Handball courts in the past have been removed from various playgrounds as they were used at night principally for sanitaries and they had been deliberately set afire by vandals. The old bath house at Savin Hill was set afire five different times by vandals. Whether or not they would leave a handball court standing during the winter months would have to be carefully considered.

Also, it would have to be a W. P. A. project, as the department has no funds available for the construction of such a court.

Respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BUS LINE TO CARSON BEACH.

City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway Company relative to your order of July 18, 1938, concerning the establishing of a bus line from Monument square to Carson Beach.

Respectfully,
MAURICE J. TOBIN, Mayor.

Trustees of the Boston Elevated Railway,
Boston, July 28, 1938.

Mr. W. T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The trustees have carefully considered order of the City Council of July 18 relative to establishing a bus line from Monument square to Carson Beach.

While appreciating the sentiment which prompts the request, the trustees are much concerned with the trend of travel and the effect it is having upon the deficit which will arise next March. Under such conditions the trustees must turn down all requests which in any way result in decreasing the income. This request is of such a character, and the trustees regret their inability to acquiesce.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

IMPROVEMENT OF PLAYGROUNDS THROUGHOUT THE CITY.

The following was received:
City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Commission relative to your order of July 18, 1938, concerning the institution of a W. P. A. project which will provide for the regrading, improvement, repair, etc., of playgrounds throughout the city.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 29, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have memo. from your office dated July 28 with inclosure, order from the City Council that the Park Commissioner be requested, through his Honor the Mayor, to institute a W. P. A. project which will provide for the regrading, improvement, repair, etc., of playgrounds through the city.

A project of this kind has been in operation since the start of the C. W. A. In fact, we have a project in Washington now for the repair of buildings all over the department, and repairs to various other things, which is being turned down with the explanation that this is a maintenance matter and should be cared for by the city at its own expense.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RECODIFICATION OF CITY OF BOSTON STATUTES.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Corporation Counsel relative to your order of June 20, 1938, relative to the recodification of the statutes regarding the City of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, August 1, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have received a memorandum from your office 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 how near completion is the recodification of the statutes relating to the City of Boston, which was originally authorized following an appropriation of \$20,000 by the City Council on June 14, 1926."

You have asked me to report to you with reference to the inquiry made in said order.

A similar inquiry from the City Council was made through the Mayor's office early in the year 1937, to which a complete and full reply was made to the then Mayor under date of March 1, 1937. This reply may be found in full in the proceedings of the City Council for the year 1937, at page 65, and I therefore deem it unnecessary to reiterate what was there said with reference to the expenditure of the original appropriation of twenty thousand dollars made in June, 1926.

With reference, however, to the codification of statutes relating to the City of Boston begun by my predecessor in the last administration, I am pleased to advise that this codification is nearing completion and all the material is now in the hands of the City Printing Department. The compilation will consist of two volumes, the first of which has already been printed and bound. The second volume includes the index and is expected to be bound and ready for delivery within the next two weeks.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

ESTABLISHMENT OF PLAYGROUND ON MEAD STREET.

The following was received:
City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of August 8, 1938, concerning the establishing of a playground for children on the city-owned property at numbers 11, 13, 15 and 17 Mead street, Ward 2, as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, August 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have your memorandum of August 9, with inclosure, order from the City Council, that the Park Department establish a playground for children on the city-owned property at numbers 11, 13, 15 and 17 Mead street, Charlestown, as a W. P. A. project.

This property is evidently tax-title property and has to go to the Land Court before it can be turned over to this department or before any transfer can be made of it.

It is absolutely useless for this department to construct any additional playgrounds, as we cannot maintain these areas properly with our limited number of men. The force is inadequate to take care of the areas we have under our jurisdiction at the present time.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, August 15, 1938.
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,
MAURICE J. TOBIN, 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 Mayor, Office Expenses:

From the appropriation for B, Contractual Services, \$122.25, to the appropriation for C, Equipment, \$122.25.

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, Sewer Service:

From the appropriation for B, Contractual Services, \$1,200; C, Equipment, \$200, to the appropriation for E, Materials, \$1,400.

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 Board of Appeal:

From the appropriation for B, Contractual Services, \$62, to the appropriation for C, Equipment, \$0.82; D, Supplies, \$61.18.

Ordered, That under authority of 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, Supplies, \$5.15, to the appropriation for C, Equipment, \$5.15.

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 Boston Port Authority:

From the appropriation for G, Incidentals, \$75, to the appropriation for C, Equipment, \$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 *City Record*, Publication of:

From the appropriation for B, Contractual Services, \$0.23, to the appropriation for C, Equipment, \$0.23.

Referred to Executive Committee.

TRANSFER OF FUNDS FROM PARKMAN FUND FOR MAINTENANCE AND IMPROVEMENT TO COMMON AND PARKS.

The following was received:

City of Boston,
Office of the Mayor, August 15, 1938.
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 \$44,000 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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, July 28, 1938.
Hon. Maurice J. Tobin,
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 \$44,000 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, | \$44,000 |
|--|----------|

When making up the budget estimates for the year 1938 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 1938, 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 \$44,000 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, | \$44,000 |
|--|----------|

Referred to the Executive Committee.

INFORMATION RE ADMISSION TO BOSTON SANATORIUM OF WELFARE RECIPIENTS.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of the Boston City Hospital relative to your order of July 18, 1938, concerning the admission to the Boston Sanatorium of Boston residents who have received public welfare payments.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, July 29, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I herewith acknowledge receipt of your inquiry of July 25, 1938, on the subject of admissions to the Boston Sanatorium of Boston residents who have received public welfare payments.

Please be advised that this matter will be referred to the next trustees' meeting. I shall write you promptly after action has been taken.

Respectfully submitted,
JAMES W. MANARY, M. D.,
Superintendent.

Placed on file.

ALTERNATE SATURDAYS OFF FOR HOSPITAL EMPLOYEES.

The following was received:

City of Boston,
Office of the Mayor, August 11, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President of the Board of Trustees of the Boston City Hospital relative to your order of July 18, 1938, concerning the employees of the hospital alternating Saturdays off during the summer season.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, August 1, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees, held on July 29, the following order of the City Council was presented:

"That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to

allow employees of the hospital alternate Saturdays off during the summer season."

After due consideration, the trustees feel, taking into consideration the nature of our work at the hospital, the twenty-four-hour day and the seven-day week services which it is necessary for this department to render to the public, that to allow alternate Saturdays off even for the summer months would not be for the best interests of our patients.

Respectfully yours,
JOSEPH P. MANNING,
President, Board of Trustees.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named:

Claims.

American Mattress Manufacturing Company, for compensation for damage to property at 1051 Washington street, caused by overflow of sewage.

Rose Green, for compensation for injuries caused by alleged defect on sidewalk at 9 Waterford street.

Mrs. Gertrude Havey, for compensation for damage to property at 27 Hollywood road, West Roxbury, caused by overflow of water.

William Hincke, for compensation for damage to car by city truck.

Margaret A. McKinnon, for compensation for damage to property at 836 South street, Roslindale, caused by overflow of water.

Ida Shallross, for compensation for injuries caused by alleged defect on sidewalk on Huntington avenue.

Mrs. Beatrice A. Vanni, for compensation for injuries caused by alleged defect on sidewalk, near corner of Hemenway and Boylston streets.

Executive.

Patrick F. McDonough, employed as a laborer in the Sanitary Division of the Public Works Department, be retired under the provisions of chapter 765 of the Acts of 1914.

NOTICE OF ABSENCE OF THE MAYOR.

Notice was received from the Mayor of his absence from the city from August 10 to August 14.
Placed on file.

RESIGNATION OF OVERSEER OF PUBLIC WELFARE.

Notice was received from the Mayor of acceptance of resignation of Dr. Frank M. Leonardi as an Overseer of the Public Welfare.
Placed on file.

REPORT OF JITNEY COMMITTEE.

Coun. PETER A. MURRAY for the Committee on jitney Licenses submitted the following:

On the petition of the Eastern Massachusetts Street Railway Company (referred August 18) for license to operate from Mattapan square to Haymarket square, recommending reference to Executive Committee.

Report accepted; petition referred to Executive Committee.

SOLDIERS' RELIEF.

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

Report accepted; said order passed.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. GEORGE A. MURRAY, for the Committee on Ordinances, submitted the following:

Report on message of Mayor and ordinance (referred June 20, 1938) concerning the use of

sidewalks for the passage of vehicles—recommending the passage of the ordinance in the accompanying new draft:

An Ordinance Concerning Use of Sidewalks.

Be it ordained by the City Council of Boston, as follows:

Section seventy-nine of chapter thirty-nine of the Revised Ordinances of 1925 is hereby amended by adding at the end thereof the following:

Except in accordance with a special permit granted by the City Council and approved by the Mayor, no driveway or other opening for the passage of vehicles across a sidewalk shall be constructed to a width of more than ten feet nor shall more than a total of twenty feet in width of the sidewalk in front of any one parcel or two or more contiguous parcels of land owned or occupied by one person, firm or corporation be used for driveways.

Report accepted; said ordinance passed.

BASKETBALL IN PUBLIC HIGH SCHOOLS.

Coun. IRWIN submitted the following:

Ordered, That his Honor the Mayor request the School Committee to include basketball in the winter program of sports for the Boston public high schools.

Coun. IRWIN—Mr. President, I introduced this order because I believe, although we pay enough attention to the education of the High School pupil, we pay far too little attention to the sports engaged in by these pupils. In the winter program of sports the only two sports included are football and track. Very few high schools engage in swimming and not any of the public high schools engage in basketball. First of all, a student who is not only interested in gaining an education but also in furthering his athletic ability refuses to engage in track because he possibly cannot run fast enough and also refuses to engage in football because oftentimes the parent believes that it is too strenuous and too dangerous a sport for him to engage in. As all you members will recollect, practically every suburban high school engages in basketball and basketball today is played by millions of people all over the country. The only big city I know of where basketball is not played is in the big schools of Boston. Take New York, Washington, and through the Middle West and West, basketball is practically a major sport. It costs very little for this sport to be included in the program. It is merely the price of a few uniforms costing around \$10 a uniform, the services of a coach who could be engaged primarily through contributions. This sport enables a young man when he goes to college to engage in it in college because every college has basketball means. I believe that basketball today brings in far more revenue to any college outside of football than any other sport engaged in by them. It also gives a young man an opportunity after he graduates from college, if he becomes proficient in the sport, to make a few dollars out of it. I read an article where the game was played before 20,000 at Madison Square Garden where high schools outside of Boston played to three and four thousand people. I think it is something this Council should take the initiative in and support the movement to have this sport included in the winter program for the public high schools.

Order passed under suspension of the rule.

CLOSING OF CONVENIENCE STATION IN MARKET DISTRICT.

Coun. FITZGERALD submitted the following:
Ordered, That his Honor the Mayor confer with the Health Commissioner for the purpose of reconsidering the action whereby the Convenience Station situated in the market district was closed.
Passed under suspension of the rule.

CLOSING OF CONVENIENCE STATION AT OLD FRANKLIN SCHOOL.

Coun. FITZGERALD submitted the following:
Ordered, That his Honor the Mayor confer with the Health Commissioner for the purpose of

reconsidering the action whereby the Convenience Station situated at the Old Franklin School, Washington street, corner of Dover street, was closed.

Passed under suspension of the rule.

RECESS.

The Council voted at 2.45, on motion of Coun. DOWD, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 3.20 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Patrick J. McDonough (referred August 15) to be retired under the provisions of the Laborers Retirement Act—recommending passage of the following order:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, Patrick F. McDonough, employed as a laborer in the Sanitary Division of the Public Works Department, he having reached the age of seventy years and being physically incapacitated.

Report accepted; order passed.

2. On the message of the Mayor and order (referred today) transferring \$44,000 from the income of the George F. Parkman Fund, and on the message and various department transfer orders (referred today)—recommending all the transfer orders ought to pass.

Report accepted; orders passed; yeas 19, nays 0.

3. Report on order (referred August 8) transferring the care and custody of property now owned by the city at 11, 13, 15 and 17 Mead street, Ward 2, be transferred from the Public Buildings Department to the Park Department—recommending order ought to pass.

Report accepted; said order passed.

4. Report on the message of the Mayor and order (referred today) for loan of \$175,000 for Public Works Department—recommending order ought to pass.

Report accepted; order read once and passed, yeas 19, nays 0.

5. Report on the message of the Mayor and order (referred August 8) concerning acceptance of chapter 479, Acts of 1938—recommending reference to a special committee to be named.

Report accepted.

The Chair appointed Coun. Fitzgerald, Irwin, Galvin, G. A. Murray, Shattuck, Taylor and Wilson to act as Special Committee.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following reports:

1. Report on the petition of Paul Guido (referred June 20, 1938) recommending the passage of the following order:

Ordered, That the sum of twenty-five dollars (\$25) be allowed and paid to Paul Guido in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

2. Report on the petitions of Neil M. Murphy (referred June 20, 1938) recommending the passage of the following two orders:

Ordered, That the sum of one hundred thirty-three dollars and twenty-three cents (\$133.23) be allowed and paid to Neil Murphy in reimbursement for amount of execution 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 Contingent Fund.

Ordered, That the sum of ninety-seven dollars and fifty cents (\$97.50) be allowed and paid to Neil M. Murphy in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; orders severally passed.

3. Report on the petition of George H. Huher (referred June 20, 1930)—recommending the passage of the following order:

Ordered, That the sum of eight dollars and fifty cents (\$8.50) be allowed and paid to George H. Huher in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

ACCEPT AND LAY OUT BUTTONWOOD COURT.

Coun. HUTCHINSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Buttonwood court, Ward 13, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ERECTION OF WALL AT ELM HILL PARK.

Coun. TAYLOR offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to immediately arrange for the erection of a wall at the dead end of Elm Hill park, Ward 12, with a view to protecting both pedestrian and motorist from the existing danger of dropping over this steep cliff.

Coun. TAYLOR—Mr. President, just a few words with reference to the serious condition that exists at Elm Hill park in my district. This is a dead end street and there is a curve and also a precipice so that if a motorist driving there in the dark or a pedestrian in the park does not observe carefully he is likely to go over this precipice. This is a serious condition existing which endangers the lives and safety of the people. In order that the city might be saved the expense of a law suit and in order that the people may not receive these injuries it would be a very good plan if the Public Works Department would see that this condition is remedied.

Passed under suspension of the rule.

INFORMATION RE FEDERAL MONEY FOR P. W. A. PROJECTS ALLOCATED TO THE CITY OF BOSTON.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, after inquiring of department officials, advise the City Council as to the amounts of Federal money for P. W. A. projects actually allocated to the City of Boston and the amounts actually expended in the City of Boston annually to date.

Coun. WILSON—Mr. President, my reason for introducing that order at the present time is having in mind that the response received today from the Mayor's office with reference to the order passed early last spring, at which time the Council by its vote requested information with reference to the amount of Federal grants to this city for welfare purposes, the money allotted to the City of Boston, P. W. A., payments for old age pensions and other items. As I read that report I was rather amazed to see this report to the effect that it is impossible for the Statistics Department, even having the request since last May, to advise the Board of Directors of the City of Boston the amount annually allocated by the Federal Government to the City of Boston since 1933 for P. W. A. purposes and he includes in his response an extract from a letter by the Assistant Administrator to the effect: "I regret that I am unable to comply with your request. I am sure that you will appreciate that our facilities and personnel at the present time are engaged in getting the new program under way and because it is moving so rapidly we are unable to devote any portion of our limited facilities to compiling this information." Having in mind loan after loan order has come through to this Council, and we have been asked to commit the City of Boston definitely to P. W. A. projects, I hope it is not true that the United States Government is spending money so fast and even the City of Boston is spending money so fast that they

cannot find time to take stock for periods as long ago as 1933, 1934, 1935, 1936 and 1937; and so I do not take this response too seriously. I, for one refuse to believe that the Mayor's office after the proper consultation with the City Auditor and the other department heads,—I refuse to believe the Mayor of Boston or his department heads cannot tell the Board of Directors and cannot tell the citizens of Boston the annual amount that has come through from the Federal Government to be matched by city funds annually for the period from 1933 to date.

Passed under suspension of the rule.

RESURFACING INWOOD STREET.

Coun. KELLY offered the following:
Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth pavement Inwood street, Ward 15, under W. P. A. type of construction.

Passed under suspension of the rule.

RESURFACE TRULL STREET.

Coun. KELLY offered the following:
Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth pavement Trull street, Ward 15, under W. P. A. type of construction.

Passed under suspension of the rule.

EASTERN MASSACHUSETTS BUS LICENSE.

Coun. WILSON—As I stated in the meeting of the Executive Committee, I am going to move that the matter of the bus application filed by the Eastern Massachusetts Street Railway Company, and now pending for some seven months, be taken from the Executive Committee where it has been sent by the Jitney Committee and acted upon. Whether or not the action of the Council today is favorable on that request, I do wish to submit for purposes of public record the real story with reference to this proposed bus line, because I think a little more is involved than just the particular bus line. So, to have the record straight, the Eastern Massachusetts Street Railway Company has had pending in this Council for many months an application which has already been approved by nine other cities and towns to operate not over six buses in to the City of Boston over a proposed route ending at Haymarket square terminal. This application is filed at the urgent request of residents of Fall River and Taunton. It will mean, at the most, eighteen trips per day, and to that extent it will feed business from Fall River, Somerset, Dighton, Taunton, Raynham and Easton into Boston. It is partly the result of curtailed railroad service between Fall River, Taunton and Boston. At present there is no train from Fall River to Boston between 9.07 a. m. and 6.05 p. m.; and after 5.50 p. m. the only train route from Boston to Fall River is by way of Providence. From Taunton to Boston there are now no trains whatever between noon and 6 p. m., although Wednesdays all stores are closed in Taunton, and Saturdays all the factories close. This proposal to encourage trips to the supposed capital city of New England from a city like Fall River, without a detour all the way to Brockton, and without a change of passengers at the Ashmont terminal, is advocated by the Chamber of Commerce of Fall River, Taunton and Boston, as well as by the Retail Trade Board of Boston and the Central Labor Union. It is not opposed by the Boston Elevated. So far as additional traffic is concerned, it will certainly take a number of private cars off the road, substituting not more than six modern buses, all governed to prevent high speed, and all operated by dependable, trained and sober drivers. It will mean work for from twelve to fifteen men. It may well mean upwards of half a million dollars added purchasing power to the retail stores, restaurants and theaters of Boston. But there is somewhat more at stake than this one proposed bus line from Fall River and Taunton into the City of Boston. We talk about traffic congestion. Is the hopeless traffic tangle which is stifling business in downtown Boston the result of street

cars, buses and other public transportation facilities, or the result of thousands of parked and cruising private cars? Can we expect to attract thousands of visitors and buyers to downtown Boston and continue as a business community, but still have the peace and quiet of some country town? Do we want thousands of shoppers crowding the corner of Washington and Summer streets, or should we ask the Mayor to install a town pump and a watering trough at Jordan's corner? Take a look at the market district, or Houghton and Dutton's empty store, or almost any of the closed Boston theaters, if you think you can afford to build a Chinese wall around Boston. At least two million persons crowd into downtown Boston every weekday, most of them working here, but almost two-thirds living outside of Boston. Can we afford to do without them? Can we afford to say to thousands of possible customers: "Now that most railroad service is cut to a minimum, if you still wish to come to Boston for entertainment or to trade, we'll make it as inconvenient for you as possible. We reserve our streets for pedestrians and for local all-day parking. If you want to visit Boston you must dismount outside the city gates. The last five miles you may take through the tunnel after fighting for seats on a tunnel train with Boston residents who incidentally must rely on those trains to get to work." I was under the impression that about one in every five families in Boston is now either on relief or locally employed on W. P. A. work. I receive hundreds of applications for any kind of work each week. It takes business and industry to provide steady employment. Closed stores and theaters and lunchrooms and factories can't do it. You can't have a busy city without customers,—not unless you think we can do business with people from Fall River and Taunton and such communities, on a Sears Roebuck mailing arrangement. With modern business competition and especially changes in modern transportation from steam railroads to motor vehicles, we either want Boston to continue to be the capital city of New England, and a prosperous business center, or we want a village green. We can't reopen our stores and seek to do business behind a Chinese wall. If we have any desire at all to retain the good will of the other cities and towns in Massachusetts, Boston must take the chip off its shoulder. Now with reference to this particular bus line, as I stated, I think there is a little more at stake than perhaps appears. I think there is at stake the question whether we are going to ask all prospective customers to dismount at the city gates or allow them to come in town and trade. It cannot be said of some of these buses it is letting traffic come in because as a matter of fact some of the traffic from these towns, or Eastern Massachusetts buses now come into my ward, Ward 16, to the Ashmont terminal. With reference to this particular bus permit I answer only to my own conscience. Some members of the Council may believe that they do not want buses bringing trade into Boston. If that is their contention and their conviction, and if it is an honest intention and conviction, then, of course, the place for this particular application and any such application is not in the Executive Committee but out on the floor and let us dispose of it one way or another once and for all, and it is for that reason that I make the motion that the matter be withdrawn from the Executive Committee and passed upon out in the open now.

Coun. ROSENBERG—Mr. President, for the purpose of the record and in order to clarify my position in connection with the proposed bus line petition, I want to state that the matter before us should receive our careful and deliberate consideration and no action should be taken in haste nor should we be misled by oratory. Here we have a petition presented by the Eastern Massachusetts Street Railway Company, which desires to extend its present bus service operations that now already come into Asbmont Station, Mattapan Station and Forest Hills. This petition, if granted, would allow the buses to come into Mattapan square, proceed down Blue Hill avenue, along Seaver street and over Columbus avenue to Park square and then to Haymarket square station. The only stops that would be made for passengers would be at Fall River, Somerset, Dighton, Taunton, Raynham and Easton, and this is to be under an express line of service. The arguments propounded by those interested in the establishment of this line are that persons would come here to shop, to

attend National and American League baseball games, to attend sports events at the Boston Arena and Boston Garden and to patronize our theaters and restaurants. Among the spokesmen who appeared before the Committee on Itney Licenses, at which time I was present, were representatives of the Fall River Chamber of Commerce, Eastern Massachusetts Street Railway Company, Fall River labor unions and Taunton Chamber of Commerce, who advocated the use of this new service in view of the curtailment of Boston & Maine train service. They explained that the present bus line service operated from Taunton and Fall River takes a roundabout route, covering various cities and towns, and that this new bus service would only make the stops enumerated above. If the residents of these various cities and towns, who are interested in securing quicker transportation to Boston, really want to be accommodated they now have the opportunity of obtaining that faster transportation by adopting express service along the proposed route and coming into either Ashmont Station or Mattapan Station. It would be far better service for these persons to come into Ashmont Station or Mattapan Station, for here they can board the Boston Elevated rapid transit cars and get into downtown Boston in a safe, short and speedy run. At the same time, the Boston Elevated Railway Company will profit from the unloading of these passengers and the sum received will go a long way in helping to reduce the deficit of the Elevated. We are doing everything possible in the City of Boston to have persons living nearby Boston park their automobiles where the "El" begins in order to prevent crowding and bottle-necked traffic conditions that now exist in the downtown section of Boston. I desire to call to the attention of the members of the Council that if the residents from these outlying sections of Boston are to come into our city, particularly to attend ball games, sport events, and to patronize our theaters and restaurants, and even do shopping, the fact that their transportation service will take them to Ashmont Station or Mattapan Station will in no way hold up the influx of patronage to our city, if once they become accustomed to this new express service running into Ashmont or Mattapan Station, and that is what I want the petitioners to do. I want it expressly understood that I am for making Boston a real and bigger city and in that program I am perhaps as vitally interested as any other member of this Council. Too many times have we heard the hackneyed cry of "building a Chinese wall around the City of Boston," but in this particular instance we are not "building a Chinese wall around the City of Boston." It is perhaps well and good to permit certain bus line service on some of our thoroughfares that are not so heavily congested, both as to motor traffic and as to pedestrian use, but it is not to the best interests of the inhabitants of a community to permit additional bus service on such highways as are already being taxed far greater than is good for the health of the residents of that particular district, and when I speak of congested thoroughfares I have particular reference to Blue Hill avenue. That highway should be familiar to every member of the Council, for, time after time, I have stood on the floor of this chamber pleading for the protection of the lives and safety of the men, women and children who have to travel across that highway day in and day out. I have been urging the installation of traffic signal lights at strategic intersections along that avenue. I have requested and urged the widening of that highway and relocation of the car tracks in order that there might be a safer and less congested travel condition. I have also urged that additional traffic direction signs be erected. I believe by this time you are well aware of the fact that the district bordering on Blue Hill avenue is a heavy residential section and has perhaps the finest and busiest shopping area of any of the suburban sections of Boston. Motor traffic is so great at times that it is almost impossible for persons to cross the avenue in safety. Persons using their automobiles find it almost impossible to get parking space in order that they might patronize the business establishments along the avenue. There are grocery trucks and motor vehicles for other business enterprises which have difficulty in parking in view of the tremendous flow of traffic on that highway. The residents living in this section and those who are in business there are

honest, law-abiding citizens who are doing their part to help improve the business and welfare of the City of Boston. These business people are finding difficulty in parking to unload merchandise and also in getting their merchandise out to be delivered to their trade due to traffic conditions that exist in this section. Just picture, if you will, the granting of a permit to the Eastern Massachusetts Street Railway Company to operate buses along Blue Hill avenue coming in from Taunton and Fall River, making eighteen trips or more a day, and adding to the already hazardous traffic conditions. This service would add nothing but more burdens, trials and tribulations to the local enterprises. While I am on this subject, I want to refer to an editorial which appeared in the Boston Traveler on Monday, August 1, 1938, entitled "Who's Next to be Killed," and which contained a very lengthy exposition of the dangers to pedestrians and motorists existing on Blue Hill avenue, on which seven persons were killed last year, ranging in ages from thirty-five to seventy-five years. Surely, you gentlemen of the Council are not going to help increase the hazards on that highway any more than I would want to increase the hazards on any of the highways in your respective districts. Blue Hill avenue already has enough traffic problems without adding more to it. You have from time to time heard me refer to it as "Death Valley." Are you going to be a part to making it more hazardous than it already is? I note with interest that my colleague from the Ashmont section makes reference to the congestion which he says exists when the buses unload at the Ashmont Station and that residents of his district do not receive the accommodations they should on the Elevated. I say that it is better to have that kind of congestion rather than have the congestion on a thoroughfare like Blue Hill avenue by permitting these buses, as proposed, to travel there and thereby imperil the lives of pedestrians. If there is congestion at Ashmont Station, as reported by the councilor, then his grievance should be with the Boston Elevated, which should be requested to put on additional cars, and not to favor the sending of buses down Blue Hill avenue to add untold dangers. I am sure that if some measure was proposed for a district that would be detrimental to that particular section, I would be only too pleased to cooperate in opposing such a program. On the other hand, if any measure was proposed for the best interests of any district, I would be only too happy to vote for such an improvement. Blue Hill avenue, particularly on Thursdays, Saturdays and Sundays, carries the greatest hulk of traffic and the Eastern Massachusetts Street Railway Company would find shortly that there would be very little express service to downtown Boston with present traffic conditions. Let me, therefore, state that if by any stretch of the imagination a permit was granted to this transportation company, it would be the entering wedge and we would be duty bound to grant every transportation company the right to come into Boston over the same route for, after all, we cannot discriminate in granting one company the right to use our highway and bar it to others. I would, therefore, suggest and recommend to this body that the present petition be denied without prejudice, thereby giving the Eastern Massachusetts Street Railway Company the right to resubmit an application for a permit to operate an express bus line service to Ashmont Station or Mattapan Station, which will amply serve the residents and commuters from the various sections of the state with speed, promptness and convenience. It has been pointed out that the operation of this new bus service would mean the employment of ten additional drivers, but I dare say that it is far better to protect thousands of pedestrians than to employ the ten men to operate buses coming into our city. I dare say that if the shoe was on the other foot, and by that I mean that if any proposal such as is here presented was made under similar conditions in any of the cities and towns represented by the spokesmen at the committee hearing, to have buses travel over a heavily congested route or highway such as Blue Hill avenue, these same spokesmen would unquestionably vigorously voice their opposition to any such proposed bus line service through their city or town. The Ward 14 district of Boston, which I represent, is the largest of the Dorchester wards, and the voice of the residents of that community in asking for

safety and protective measures is worthy of your consideration. This I ask of you as its representative.

The question came on suspending the rules. The rules were suspended and the Council voted to recall the petition from the Executive Committee.

Coun. SHATTUCK—I am not altogether as clear as I thought I was in the Executive Committee meeting as to the merits of this question. I was in favor of the motion to take the matter off the table in the Executive Committee and place it before this body with the understanding that one of the members was to offer a motion to lay it on the table and I expect between now and the next meeting to familiarize myself with the question and be prepared to vote Yes or No at the next meeting.

President KERRIGAN—The vote was to take it out of the Executive Committee.

Coun. GEORGE MURRAY—I move the petition he placed on the table.

Coun. WILSON—Mr. President, my understanding of Councilor Shattuck's suggestion was that it be taken from the Executive and brought into the Council with the understanding it be taken up at the next meeting.

President KERRIGAN—That is correct.

Coun. WILSON—I suggest an amendment that it be taken up at the next meeting. The understanding is to the effect that it shall be taken up at the next meeting.

Question came on laying the matter on the table.

The motion was carried and the matter laid on the table.

NEXT MEETING.

Coun. FITZGERALD—Mr. President, I move when we adjourn, we adjourn to meet in two weeks.

The motion was carried.

CLEANING OF CATCH-BASINS IN WARD 7.

Coun. KERRIGAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to have all catch-basins in Ward 7 cleaned as soon as possible.

Passed under suspension of the rule.

ACCEPTANCE OF HARVEST TERRACE.

Coun. KERRIGAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out, under the W. P. A. plan of construction, Harvest terrace, Ward 7.

Passed under suspension of the rule.

REPAIR OF BENCHES ALONG STRANDWAY AND COLUMBUS PARK.

Coun. KERRIGAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to immediately make such repairs as may be necessary to benches along the Strandway and Columbus Park, Ward 7.

Passed under suspension of the rule.

LOWERING OF TOTAL BOSTON ASSESSMENT.

Coun. NORTON offered the following:

Ordered, That the Board of Assessors, through his Honor the Mayor be requested to consider the advisability of lowering the total assessment on Boston's realty at least \$100,000,000.

Coun. NORTON—Mr. President, Boston claimed that its real estate was worth \$1,470,405,100 for taxation purposes in 1937. There are about 87,000 dwellings, 5,000 buildings and factories and about 20,000 pieces of vacant land in Boston. The average American city of Boston's size collects taxes on a realty value of \$1,000,000,000 or less. Los Angeles, \$1,162,289,074; Cleveland, \$887,474,800; St. Louis, under \$998,000,000. Boston reduced its realty assessments from a high of \$1,827,460,600 in 1930 to \$1,470,405,100 in 1937. The reduction is not enough. During this period Los Angeles reduced from \$1,657,522,400 to \$1,162,288,074. Cleveland from \$1,488,558,620 to \$887,474,800. Philadelphia from \$3,472,559,146 to \$2,637,721,753, almost one third. Chicago cut its assessment in half from \$2,849,000,000 to under \$1,379,244,395, assessing on 37 per cent of the real value. Chicago, over four times the size of Boston in population, actually assesses its realty for taxation purposes at a lower figure than does Boston!

AIR-CONDITIONING AT BOSTON CITY HOSPITAL.

Coun. NORTON offered the following:

Ordered, That the trustees of the Boston City Hospital be requested to consider the advisability of air-conditioning a section of the hospital.

Coun. NORTON—I am not asking that the entire hospital be air-conditioned, but I believe that some of the buildings down there might lend themselves to air-conditioning. We have patients in the hospital with fever and it happens where the Boston City Hospital is located is a particularly warm spot in Boston. There are no trees and we have a tremendous concentration of red brick buildings on an extremely small area, with the result that the red brick sucks in the hot air and heat in the daytime, so that in the evening when it is cool in every other section it is relatively hot in the City Hospital. What I am asking for is that the trustees consider the matter of air-conditioning of a section of one of those buildings for the use of patients who suffer excessively with the heat.

Passed under suspension of the rule.

Coun. NORTON—Mr. President, I ask unanimous consent to make a statement. For some years I have stood on the floor of this Council and advocated more W. P. A. work in Boston, with the Government spending billions of dollars and other states in the Union taking advantage of those dollars. We here in Boston have been rather lax in putting people to work, fixing streets and making permanent improvements in our buildings. It is a great pleasure to stand here on this occasion and say that Boston today is employing 8,000 unemployed men fixing our streets on W. P. A. work; that they are now working on one hundred Boston streets and in the last two years, in my ward alone, there has been more constructive work done on fixing our highways than was done in the previous ten years. I want to thank the Mayor of Boston for the 8,000 unemployed men working on our streets.—W. P. A. labor. The chief engineer of the Public Works Department informs me when the W. P. A. spends, or the Federal Government spends \$100,000 the city spends ten or fifteen thousand dollars.

On motion of Coun. GEORGE A. MURRAY, the Council voted to adjourn at 4.05 p. m., to meet on Monday, August 29, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 29, 1938.

Regular meeting of the City Council held in Faneuil Hall, at 2 p. m., President KER-RIGAN presiding. Absent, Coun. Dowd, Agnew, Peter A. Murray.

TRANSFER WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, August 29, 1938.

To the City Council.

Gentlemen,—The attached request for transfer within departmental appropriations has been examined and investigated by the Budget Commissioner. I accordingly recommend adoption of the accompanying order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Child Welfare Division:

From the appropriation for C, Equipment, \$225, to the appropriation for D, Supplies, \$225.

Referred to Executive Committee.

ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,

Office of the Mayor, August 29, 1938.

To the City Council.

Gentlemen,—I am in receipt of a request from the 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 Contingent Fund, and respectfully recommend approval of this order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That the Commissioner of Public Works be authorized to expend a sum not exceeding \$3,000 for the purpose of furnishing ice for the public drinking fountains during the summer season, said sum to be charged to the Contingent Fund.

Referred to Executive Committee.

USE OF PART OF HIGHWAY FUND DISTRIBUTION FOR REPAIR OF BRIDGES.

The following was received:

City of Boston,

Office of the Mayor, August 29, 1938.

To the City Council.

Gentlemen,—I have received from the Commissioner of Public Works a recommendation that a portion of the funds to be received by the city under the provisions of chapter 500 of the Acts of 1938 (the Highway Fund Distribution Bill) be utilized in connection with a P. W. A. project involving the reconstruction and repair of three city bridges. The estimated total cost of this project is \$265,000, of which, roughly, the city would be called upon to bear as its share \$150,000, leav-

ing the balance to be provided by the Federal Government. The bridges involved are the Albany Street, Boylston Street and Berkeley Street Bridges, all of which are over tracks of the Boston & Albany Railroad. According to the Commissioner of Public Works, the condition of these three structures is unsafe and a menace to the public. In each instance the steel beams and hangers forming the foundation of the bridges have been greatly reduced from their original cross-sectional area because of corrosion and deterioration caused by the elements and by the gases of steam engines. The estimated cost of the proposed work is indicated in the following table:

| | |
|-----------------------------|-----------|
| Albany Street Bridge..... | \$150,000 |
| Berkeley Street Bridge..... | 75,000 |
| Boylston Street Bridge..... | 40,000 |

I appreciate deeply the desirability of applying cash received from the distribution of the Highway Fund to the relief of next year's tax rate. With the exception of the funds which will be needed to finance the city's share of this bridge project it is my purpose to see that the city's share of the distribution shall be used so as to afford relief to the taxpayers of the city. Because of the emergency condition represented in the bridge structures previously mentioned, I feel it necessary to devote a limited portion of the city's share to the correction of present conditions which constitute a menace to public safety. I submit herewith two orders authorizing the city to enter into the proposed P. W. A. projects, and respectfully recommend their adoption by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That in accordance with the provisions of section 2, 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 following public works project: Reconstruction and repair, at an estimated total cost of \$265,000, of the following bridges:

| | |
|----------------------|-----------|
| Albany Street..... | \$150,000 |
| Berkeley Street..... | 75,000 |
| Boylston Street..... | 40,000 |

said cost, in so far as the city's share is concerned, to be met from funds received by the city under the provisions of section 1 of chapter 500 of the Acts of 1938.

Ordered, That in accordance with the provisions of section 2 of chapter 500 of the Acts of 1938 the Mayor and the Commissioner of Public Works be authorized to secure the approval of the State Department of Public Works to enter into the following projects:

| | |
|---|-----------|
| Reconstruction of Albany Street Bridge..... | \$150,000 |
| Reconstruction of Berkeley Street Bridge..... | 75,000 |
| Repair of Boylston Street Bridge..... | 40,000 |

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Carminio Barra, for compensation for damage to fruit and vegetables by spraying.

Blue Hills Wine and Liquor Company, for compensation for damage to property at 1600 Blue Hill avenue, caused by city employees.

Boston Ring and Gasket Company, for compensation for damage to property at 1 Brighton avenue, caused by water from street.

William H. Breen, for compensation for damage to property at 201 Rutherford avenue, caused by cesspool clogged up.

Carey P. Clegg, for compensation for damage to property at 207 West Canton street, caused by city truck.

Albert E. Cleveland, for compensation for damage to property at 15 Lenoxdale avenue, caused by water pipe leak.

John P. Clougherty, for compensation for loss of business at 151 Dorchester avenue, caused by closing of street.

Leo A. Conneely, for compensation for damage to car caused by an alleged defect at Blue Hill avenue and Clifford street.

Elmer R. Crawford, to be reimbursed for execution issued against him.

Florindo D'Orio, for compensation for injuries caused by an alleged defect at North Bennet Street Bath House.

Sarah H. Edwards, for compensation for damage to property caused by bursting water pipe.

Rose Gamarnick, for compensation for damage to property at 11 Irving street, caused by negligent construction of sewer.

Mrs. Catherine Griffin, for compensation for damage to clothing caused by city truck.

John J. Heavey, for compensation for damage to car caused by an alleged defect in Boylston street.

John B. Hewes, for compensation for damage to property at 1841 Hyde Park avenue, caused by city truck.

Rose Lavina, for compensation for damage to car by city team.

Julia A. Linney, for compensation for damage to property at 47 Brook avenue, caused by catch-basin being clogged.

Robert A. McAuliffe, for compensation for damage to car caused by ball from Franklin Park Golf Course.

Delia McDonough, for compensation for damage to property at 89 Barry street, caused by leak in water pipe.

Edward P. McGrory, for compensation for injuries caused by an alleged defect at 146 Kittredge street.

Mill Sales Company, for compensation for damage to property at 76 Hanover street, caused by water.

Mrs. J. Mistretta, for compensation for damage to property at 27 Henley street, caused by water in cellar.

Rudolph Nettle, for refund on refuse tickets. Northeastern Flour Company, for compensation for damage to truck by city truck.

Mrs. E. Lawrence Oliver, for compensation for injuries caused by an alleged defect at 16 Fairfield street, Boston.

Ralph Hill Electric Supply and Fixture Company, for compensation for damage to property at 95 Staniford street, caused by water in cellar.

Porter Furniture Company, for compensation for damage to property at 87 Porter street, caused by break in water main.

John J. Rafferty, for compensation for damage to property at 77 Rockland street, Roxbury, caused by blocking of sewage.

J. Smith, for compensation for damage to car by city truck.

Daniel Sullivan, for compensation for injuries caused by an alleged defect at Mt. Pleasant avenue and Forest street.

C. Percy O'Donnell Wesley, for compensation for injuries caused by an alleged defect at 110 Huntington avenue.

Executive.

Petition of Madeline A. Groves, to be paid annuity on account of death of her husband, Walter J. Groves, late member of Police Department.

Petition of Marie L. A. Murphy, to be paid annuity on account of death of her husband, Walter P. Murphy, late member of Police Department.

APPROVAL OF TAX TITLE LOAN.

Notice was received of approval by the State Emergency Finance Board of tax title loan of one million dollars.
Placed on file.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of Milton Jacob Bronstein and Harry P. Frost, having been duly approved by the City Treasurer, were received and approved.

SOLDIERS' RELIEF.

Coun. IRWIN, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of August, 1938.

Report accepted; order passed.

RESURFACING CRESTON STREET.

Coun. ROSENBERG offered the following: Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth pavement Creston street, Ward 14, under W. P. A. type of construction.

Passed under suspension of the rule.

W. P. A. PROJECT FOR CONSTRUCTION OF BICYCLE PATHS.

Coun. TAYLOR offered the following: Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to sponsor a W. P. A. project for the construction of bicycle pathways in the parks of the City of Boston.

Coun. TAYLOR—Mr. President, in 1932 there were manufactured throughout the entire country over 200,000 bicycles. In 1937 there were manufactured 1,200,000, and being operated by people throughout the various cities. We all realize the hazardous condition of our traffic so far as children who ride these bicycles are concerned. There is no question at all that if the lives and safety of these youngsters are to be taken into consideration something must be done for them. In other cities in the park system W. P. A. officials have started projects making bicycle paths for these children to ride on. We have ample space in Franklin Park and Franklin Field and other parts of Boston that can be utilized so that the safety of these children will not be affected. W. P. A. projects are necessary in our cities because we still have a great many people unemployed and this project would be a great one so far as the people of the city are concerned. Not only will it give the people work but will also take from the minds of the parents the responsibility of their children for fear they will be run down by some automobile. This would be a worthy thing to start in our Park Department. I hope the Council passes this order.

Passed under suspension of the rule.

SAFETY ISLAND, KNEELAND AND HUDSON STREETS.

Coun. FITZGERALD offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a safety island at the junction of Kneeland and Hudson streets, in Ward 3.

Passed under suspension of the rule.

RESURFACING NOANET STREET.

Coun. FITZGERALD offered the following: Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement, under the W. P. A. plan of construction, Noanet street, Ward 3.

Passed under suspension of the rule.

INCREASING QUOTA OF MEN AND WOMEN ON W. P. A. PROJECTS.

Coun. CAREY offered the following: Ordered, That his Honor the Mayor be requested to confer with the W. P. A. officials in Washington, immediately, with a view to increasing the quota of both men and women on W. P. A. projects in Boston.

Coun. CAREY—Mr. President, I noticed in the newspapers yesterday that you, as Acting Mayor, wrote President Roosevelt on Saturday last asking that the W. P. A. quota be increased in Boston and I had my order already prepared and am presenting it accordingly. I, too, feel that something must be done immediately to increase the quota in Boston. For some time past it has been impossible to have men assigned to W. P. A. and now within the past week we have been informed that no additional men can be assigned. The unemployment situation becomes more critical with the shutting off of this Federal means of putting people to work. In talking with the W. P. A. authorities a few days ago I was informed that there was approximately two thousand women here in Boston who have been certified for employment but who cannot be assigned because the city's quota is filled. In addition to the two thousand who have been certified, there are thousands more who have applied and been refused. In my district, and I know that such cases exist all over the city, there are many widowed mothers and broken-hearted daughters who either are certified or should be certified who cannot be given employment because of what has been described as an overloaded quota. In times past many of these women were willing to work scrubbing floors, but even such employment as that cannot be found today and there are those fathers and sons who are seeking employment for many weeks past only to see their hopes dashed, for the last week the W. P. A. officials hung out a "No Help Wanted" sign. I beg to ask his Honor, in which request I know he will have your whole-hearted cooperation, to make every effort possible to have an increase in the quota for both women and men and accordingly ask it in my order in the usual way.

Passed under suspension of the rule.

ACCEPT AND LAY OUT STREETS IN WARD 18.

Coun. NORTON offered the following:

Ordered, That the Public Works Department, through his Honor the Mayor, be requested to accept and lay out Farrar avenue and the lower end of Ruskin road, Ward 18, together with other streets off Thatcher street, in this district, where housing developments have taken place.

Coun. NORTON—Mr. President, the Mayor of Boston has 8,000 men working on the streets on W. P. A. projects today and I wish to congratulate the Mayor for having that large number of men, because this is the first time in many years that the W. P. A. has been in effect that we have had such a total, but in one section of the ward, where they are building some houses, this morning I was on Farrar avenue and the lower end of Ruskin road, Ward 18, where there are dozens of little homes built and the people have built a temporary street, and I want to call, in this order, the attention of the Public Works Department to the fact that there is such a development down in the wooded section of our ward where, I think, after they have made a study, they will agree to help out these folk who think enough of Boston to build a home and live in it, and I would like to have the authorities get in touch with Mr. Milton Hershey to see if it is not possible to help along the matter of that construction.

Passed under suspension of the rule.

STUDY RELATIVE TO CHANGING TEACHERS COLLEGE TO A JUNIOR COLLEGE.

Coun. NORTON offered the following:

Ordered, That the Boston School Committee, through his Honor the Mayor, consider the advisability of having a study made relative to eventually changing Teachers College into a junior college.

Coun. NORTON—Mr. President, I understand that there are about three thousand young men and young women who have graduated from our high schools, graduated from the so-called classical course which fits them for college, who are not going to college due to financial difficulties. We have a Teachers College which turns out splendid teachers, but the fact remains that hundreds of girls have graduated and there are no jobs for them in our schools. I am merely asking the school authorities here, as I have for a number of years past, to consider over a period of years changing the Teachers College into what is known as a junior college, so that they can continue on for a year or two, because once that break is made, when they are out three or four years, they have lost that knowledge in so far as college entrance examinations are concerned.

Passed under suspension of the rule.

RECESS.

The Council voted at 3.05 p. m., on motion of Coun. GEORGE A. MURRAY, to take a recess subject to the call of the Chair. The members reassembled and were called to order at 4.20 by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message and order of the Mayor (referred August 15) *re* sale of old fireboat "Thomas A. Ring" for an upset price of \$1,000—recommending order ought to pass. Report accepted; order passed.

2. Report on the message of the Mayor and order (referred today) for the transfer of \$225 in the Institutions Department—that the order ought to pass.

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

The order failed of passage, fifteen affirmative votes being required. Yeas, Coun. Carey, Chase, Englert, Fish, Galvin, Hutchinson, Irwin, Kerrigan, Lyons, Rosenberg, Shattuck, Sullivan, Taylor, Wilson—14. Nays, 0.

On motion of Coun. ENGLERT the foregoing vote was reconsidered and the order was assigned to the next meeting.

Coun. WILSON—Mr. President, have we voted on the \$175,000 loan order yet?

President KERRIGAN—Not yet.

Coun. WILSON—Well, Mr. President, I will urge, from what we have been told that the \$175,000 means the continued work of some eight thousand men, that we better send out the messengers and get a quorum here.

3. Report on the message and order of the Mayor (referred today) to transfer \$3,000 from the Contingent Fund, Public Works Department, for the purpose of furnishing ice for public drinking fountains during the summer season—recommending order ought to pass. Report accepted.

On motion of Coun. TAYLOR the matter was assigned to the next meeting.

4. Report on message and order of the Mayor (referred August 15) *re* transfer of \$14,326.28 for temporary court house accommodations—recommending order ought to pass. Report accepted.

On motion of Coun. SHATTUCK the matter was assigned to the next meeting.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following reports:

1. Report on petition of Angelo Foppiano (referred August 8, 1938)—recommending the passage of the following order:

Ordered, That the sum of one hundred and seventy-five dollars (\$175) be allowed and paid to Angelo Foppiano in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

2. Report on petition of Arthur L. Jackson (referred July 18, 1938)—recommending the passage of the following order:

Ordered, That the sum of three thousand dollars (\$3,000) be allowed and paid to Arthur L. Jackson in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Report accepted; order passed.

3. Report on petition of John D. Buckley (referred May 24, 1938)—recommending the passage of the following orders:

Ordered, That the sum of three hundred forty-five dollars and fifty-eight cents (\$345.58) be allowed and paid to John D. Buckley in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Ordered, That the sum of one hundred thirty-eight dollars and sixty-six cents (\$138.66) be allowed and paid to John D. Buckley in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Fire Department, said sum to be charged to the Contingent Fund.

Report accepted; orders passed.

ACCEPT AND LAY OUT WOODCLIFF STREET.

Coun. HUTCHINSON offered the following: Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Woodcliff street, Ward 13, from Howard avenue to the ledge, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

CLEANING OF CATCH-BASINS IN WARD 13.

Coun. HUTCHINSON offered the following: Ordered, That the Commissioner of Public Works be requested to arrange for the immediate cleaning of all catch-basins in Ward 13.

Passed under suspension of the rule.

STATEMENT BY COUNCILOR NORTON.

Coun. NORTON—I would like to ask unanimous consent to make a statement for the record relative to what has been accomplished at the recent legislative session of our Commonwealth just closed.

President KERRIGAN—The Chair hears no objection.

Coun. NORTON—Mr. President, I am merely interested in making this statement for the purpose of the record, that I believe the Mayor, Corporation Counsel Henry Parkman and Legislative Agent Thomas Dorgan are to be congratulated, because of all the years I have been in City Hall in the city government, I know of no Mayor who has accomplished more in a year than has been accomplished through the cooperation of the Mayor's office and city officials and the Legislature. Over \$1,194,000 for the first time in our history is being turned over to the City of Boston for streets. That is more money than has been turned over in the entire history of this so-called road construction law. I understand that since 1923 the City of Boston received not over \$200,000. This year we are to receive about \$1,500,000, establishing the policy that the state should enter Boston and help pay for some of our through express highways that are used by

all the citizens of the Commonwealth. Another matter is the matter of expenses the Metropolitan District spends for sewerage disposal, for our drinking water system and for our aviation airport. Studies are now being made by legislative committees to see if it is not possible for the Metropolitan District Commission to assume a larger share of Boston's expenses. Thirdly, the spirit of cooperation between the Legislature and the city officials has been excellent to say the least.

CONFIRMATION OF APPOINTMENTS.

President KERRIGAN called up No. 1 and No. 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor August 15, 1938, of Constables authorized to serve civil process, viz.: John J. O'Brien, Jr., Joseph G. Geary, Irving E. Bennett, Martin Kendrick, William F. Dwyer.

2. Action on appointment submitted by the Mayor August 15, 1938, of Arthur L. Barry, to be a Weigher of Goods.

The question came on confirmation of appointments. Committee, Coun. Sullivan and Irwin. Yeas 9, nays 3, and the appointments were confirmed.

ACTION ON EASTERN MASSACHUSETTS BUS LICENSE.

Coun. WILSON—Mr. President, partly prompted by the suggestion of the councillor from Hyde Park that certain progress is being made in the improvement of Boston streets for the use of the citizens of the entire Commonwealth, I move at this time that we take from the table the matter of the pending application of the Eastern Massachusetts Street Railway Company, and in making that motion I would like to call attention to the fact that since our last meeting two Boston newspapers, in editorial comment, have supported the application and I would like to have the editorial from the Boston Post, under date of August 23, and the Boston Herald on the subject, under the same date, included in the record.

The editorials referred to were as follows:

"SHOULD BE GRANTED.

"The Boston City Council at its next meeting should take prompt action in granting the request of business interests of Fall River and Taunton, the Boston Chamber of Commerce and its Retail Trade Board that a permit be issued to the Eastern Massachusetts Street Railway Company to operate an express bus service between Park square, Boston, and Taunton and Fall River. The petition for the service has been in the Council's files for more than seven months. The Boston Elevated has no objection to the extension of the present service which terminates at Ashmont. The new bus service would in effect shorten the distance between Fall River and Boston for those of southeastern Massachusetts who want to come here and spend their money, rather than go elsewhere."—Boston Post.

"CITY COUNCIL'S APATHY.

"From the standpoint of Boston business, the petition of the Eastern Massachusetts Street Railway for permission to run an express bus line between Fall River and Boston is distinctly desirable. The petition has the support both of the Fall River and Boston chambers of commerce and of the Boston Retail Trade Board, and it has been approved by the various regulatory boards of each of the dozen cities and towns through which it would pass. Every obstacle in the way of the bus line was cleared as far back as last January, except for the approval of the Boston City Council. Here the proposal has been 'buried' for eight solid months, held up first on technicalities and later because a quorum was lacking at the Council sessions.

"At the present time the last train for Fall River leaves Boston at 5.40 p. m., and those who intend to come to Boston and

return in the same day are prevented from shopping late and remaining here for dinner or the theater. If the City Council is really interested in helping Boston as a business center, it will grant the permit without additional delay."—*Boston Herald*.

Coun. WILSON—I personally feel that community steam train service has become a thing of the past and customers from outside the community must depend upon bus transportation for Boston especially. If access to the retail stores is made convenient we can expect increased business, but if the prospective customer who travels thirty miles or more must dismount at the city's gates before traveling the last five miles, or be made to feel that they must stop at Ellis Island before being allowed to go downtown to make purchases, then we must expect to see other less exclusive communities acquire Boston business. The Mayor of Boston, in order to bring in temporary business to Boston, has recently made a trip to Columbus, Ohio, to bring a convention to Boston next year. He contemplates a similar trip to California. Such efforts are commendable, but we must encourage a steady flow of trade from Massachusetts communities. We take some pride in being a resident of the capital city of Massachusetts. If we are to justify the name, we cannot afford to assume any "top sergeant" attitude with the people of Fall River, Taunton, or any other Massachusetts community. We cannot expect residents of Taunton to shop by mail; we cannot expect to grow grass on busy streets. We can revive the cow paths of Boston or continue as a business community, but we cannot do both. In the talk on the proposed application last week there was some reference made to the fact that it is an express service, which I think is somewhat misleading. I understand that these six buses, and there are only six, are so governed that their top speed is forty miles an hour outside of Boston and that the meaning of the words "express service" is that no stops, either to let off or take on passengers, are to be made in the last four or five towns through which they pass. These buses and all buses, of course, are subject to the state regulations on speed and the police regulations of the City of Boston. Personally, it is immaterial to me what action the Council takes. I personally believe we should take an attitude on one side of the question or the other in order that the public transportation companies in Massachusetts may know that, so far as this Council is concerned, they may reasonably expect to try and make money. I will admit, by bringing buses into Boston, and from our point of view they may try to encourage prospective customers from outside of Boston to come into downtown Boston to patronize our theaters, restaurants and town-town stores; we are either going to encourage that sort of business in Boston, or we do not want it, and I think the sooner the decision is made the sooner the management of the Eastern Massachusetts Street Railway Company and the other transportation companies will make their plans to take their buses to such communities as are in need of business.

The motion was carried and No. 5 was taken from the table, viz.:

5. Petition of the Eastern Massachusetts Street Railway Company for a license to operate six motor vehicles from the Milton line at Mattapan square to Haymarket square, over Blue Hill avenue, Seaver street, Columbus avenue, Stuart street, Broadway, Park square, Charles street, Cambridge street, Bowdoin square, Chardon street, Merrimac street and Haymarket square.

Question on granting the license.

Coun. ROSENBERG—Mr. President, at the outset let me state that this bus petition we have before us has unquestionably been here for a long time, but at the same time, not being a member of the Committee on Jitneys, I want at this time to pay my respects to the able manner in which the chairman of the Jitney Committee handled this petition. I believe Councilor Peter Murray used wise judgment. He didn't hold hasty meetings in connection with having the matter brought before the Jitney Committee. He did everything he

could to inform every member of the Council through whose district this service was to run to give them an opportunity to be heard. I was present at most of the meetings before that committee and I had an opportunity of observing the proponents in favor of this bus line. Most of them, and I would say 95 per cent of them, were nonresidents of the City of Boston. Their particular purpose was to get an express service into the city. In that respect I have no grievance with those proponents who want express service from Taunton and Fall River into Boston. There also appeared before us one of the most powerful lobbies of the public utilities interested in securing the bus line service for the Eastern Massachusetts Street Railway Company. I am not opposed to transportation coming into Boston, transportation service that is going to benefit Boston, but I am opposed to transportation lines coming in on a thoroughfare now already overtaxed. I say if the transportation company wants to come in here, they might be able to reroute this service through some other highway rather than coming down Blue Hill avenue. I appreciate the fact they may want to have them come down some other thoroughfare. I am not keeping the service out. I suggested at the last hearing that it would be better service to have these buses come into either Mattapan square or Ashmont Station. They may find some other avenue, perhaps some other avenues where the population is not as congested, where business conditions are not as congested as they are on Blue Hill avenue. You have heard me mention Blue Hill avenue until you have been able to see it wherever you go, but I am particularly interested in doing everything possible to safeguard the lives and safety of the people on that street. I say when we talk about business going away from the downtown section of Boston, it has not disappeared because of the transportation service. Times have changed. We always find a cycle of events. People are not coming in as they formerly did to the Adams square section. Business has been gradually moving upward into the Park square district and other sections of the city. People are getting new methods of transportation and new avenues of approach and the fact one section becomes isolated is not because of the fact of the train service. It is a different type of people coming into the city. When I hear so much talk about the residents of Taunton and Fall River, and I know I have a great many friends living in those particular cities and would like to do everything possible to help them to come into Boston, but we heard from the spokesmen who were here representing those residents that when the people are employed in Taunton and Fall River and the mills and factories are going the average weekly wage that the employees are receiving is \$14 a week, and those persons are not going to make trips to Boston on the small income they are receiving. Those who want to come will come on an express service coming into the Ashmont Station or Mattapan square. I believe they may be able to work out some other avenue of approach. I am going to ask the members of this Council to reject this petition without prejudice so the Eastern Massachusetts Railway may be able to submit a new petition bringing the service either into Mattapan or Ashmont Station, or reroute it over some other route.

Coun. SHATTUCK—Mr. President, at the last meeting when this matter was before the Council, I was inclined to favor rejection of the license, but during the last two weeks I have spent some time looking into the subject and I am now prepared to vote in favor of the petition. I understand that there are only six buses, or six trips a day contemplated in this license and that there is not likely to be any material increase in requests of this kind, or any increase in volume asked for. It is a fact that these buses will serve a part of the state which now is handicapped by reason of the cutting off of so much train service and will make it easier for the people to come to Boston and when they come to Boston to do business in Boston. I wish that the terminal of the license had been in Park

square or some point north of the center rather than permitting the terminal to be at Haymarket square, but that is a matter that cannot be taken care of by amendment. We have kept this petition since last January and if there was to be such a change I think it ought to have been asked for a long time ago and I am not in favor of delaying the question any longer. I shall vote for the license.

Coun. TAYLOR—Mr. President, if I am in order I was going to make the motion, although I do not care to delay this matter any further, that we lay it on the table again due to the fact that the chairman of the Jitney Committee was stricken ill today and I feel sure that perhaps, being chairman of the Jitney Committee, he might have an important message to deliver to us. If I am in order I will make the motion that we lay it on the table.

Coun. WILSON—Mr. President, with reference to laying the matter on the table, nobody has any more concern about the chairman of the Jitney Committee than I have, for I have served with him during my entire time of service in the Council. The matter was before the Jitney Committee for many months. It was turned back by the Jitney Committee to the floor of the Council two weeks ago without any recommendations one way or the other for the Council to make its own determination of what it might wish to do. Knowing the chairman of the committee as I do and having in mind the manner in which the matter was thrown back from the Jitney Committee, of which I am a member, for action by the entire Council, I am very sure that the chairman of the committee would not want the body of which he is a member subjected to further criticism. There has been already too much talk about this particular application and you may take my word for it, there is likely to be more if there are continued efforts to postpone taking an attitude one way or the other on the question.

Coun. NORTON—Mr. President, I believe we should decorate anybody who brings people to Boston. You can buy any piece of property on Washington street today for much below the assessed value. It is the fight of every city today to bring people to it and it the fight of the city today to hold people there. Anyone who brings a customer here or brings people here should be decorated.

Coun. LYONS—Mr. President, I don't seem to agree with the previous speaker regarding bringing business to Boston. By issuing this permit to the Eastern Massachusetts in round figures the Boston Elevated will lose probably \$65,000 in the course of a year. The biggest part of the people coming into Boston are not bringing business here, but they work here and I think if the Council will take count three-fourths of them work in Boston. You are encouraging people to leave Boston and go where the automobile rates are lower and taxes are lower. They won't pay their taxes in Boston to support us.

Coun. NORTON—Mr. President, that is an interesting theory which the councilor has just expressed. I am not so sure that my contention is right, but it does seem to me that everybody is anxious to bring people to Boston. Everyone who comes to Boston is an asset to our people and to the clerks working in the stores, and to people working in these buildings. Some of them may not spend money, but I think a survey will show that that most of them do. It is the fight of every city in the land to hold its population. It is the fight of every city in the country to bring people to it.

Question came on the granting of the license. There were six votes in the affirmative and twelve in the negative and the petition was denied.

LAND COURT PROCEEDINGS ON YOUNG'S HOTEL PROPERTY.

Coun. WILSON offered the following:
Ordered, That the Corporation Counsel, through his Honor the Mayor, be requested to institute Land Court proceedings on the tax

title of property located at 7 and 9 Court street and 22 Court street, known as the Young's Hotel property, sold for 1932 unpaid taxes in 1934.

Coun. WILSON—Mr. President, very briefly for the record, this property last year was assessed for \$800,000 and even after the payment of some sixty or seventy thousand dollars in rental there is still \$103,713.68 due. I think that the Law Department and the City of Boston have done an excellent job in housing the various courts in the Young's Hotel building due to the fact that the money for the rentals has automatically come at least out of the bond issue and back into our own treasury; but having in mind the two thousand or more tax title properties in Boston, many of them junk parcels and many of them vacant parcels, that have been put through the Land Court, I really believe that from now on we are subject to the greatest criticism if this \$800,000 property next to Thompson's Spa and adjacent to City Hall, the old Young's Hotel property, should be allowed to coast on and on as this property has been allowed to do since 1932 without the city proceeding to put the property through the Land Court like they would any other piece of property. We, of course, were rather surprised today to hear that so far as the 1932 taxes are concerned an abatement was allowed for 1932 without any payment of cash whatever and it does seem to me that after six years this particular piece of property should take the same course as a vacant piece of land or tenement house or single dwelling in your ward or mine.

Passed under suspension of the rule.

LAY OUT AND ACCEPT GUSTINE STREET.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Gustine street, Ward 16, as a public highway, from Ashmont street to 132 Gustine street, under the W. P. A. plan of construction.

Passed under suspension of the rule.

LAY OUT AND ACCEPT LOMBARD STREET.

Coun. FISH offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Lombard street, Ward 16, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

AMBULANCE WITH ATTENDANTS ON DUTY AT EAST BOSTON AND HAYMARKET RELIEF STATIONS.

Coun. IRWIN and FITZGERALD offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to arrange to have an ambulance with attendants on duty at all times at both the Haymarket and East Boston Relief Stations.

Coun. IRWIN—Mr. President, in conformity with the Mayor's economy program the Board of Trustees of the City Hospital recommended that the East Boston and the Haymarket Relief Stations be abandoned. The action before this body was taken and I want to compliment the members of this body who at that time saw fit to vote to keep the East Boston Station open. However, in spite of the order calling on the Mayor to advise the Board to reconsider their action the hospital was closed. A subsequent order was filed by a fellow councilor asking that an ambulance with assistants and doctors be stationed at some suitable site

near the Haymarket Relief and also in East Boston. It was my opinion at that time that at least that procedure was going to be adopted. Since the closing of the hospitals the revolt of the citizens has brought forth to the minds of everyone the need of these hospitals. In the case of an accident the delay in the ambulance reaching the person injured has caused grave injury and serious sufferings to the person hurt. Now, I say in all assurance to this Council, it is probably one of the major things which has come before it. We have seen here today a clear example, when a fellow member of our Council was stricken ill, and in spite of the fact he is a member of the Council and the attendant called the ambulance, it took half an hour for the ambulance to come here. We all know what injury might have happened to that colleague. He could have died waiting for the ambulance to come. I don't think this should be put off merely as an order and no action taken. I think this is vital to every member of this Council as well as to me. I think the Council should vote unanimously for at least this protection of the taxpayers and citizens of the community in the City of Boston. I trust this order will be adopted and also that immediate steps for the adoption of this order will be taken to see that ambulances are stationed where requested.

Coun. GALVIN—Mr. President, some months ago I introduced a similar order. At that time the hospital cases were very low as I understand it, but at the present time they have reached a high peak so that every bed in the City Hospital is filled. We have, from time to time in Charlestown, people who have been waiting an hour and an hour and a half, in particular our longshoremen down at the docks, who work twenty-four hours a day in the ships, tired and unable to get a clear lighting system, have many accidents. A short time ago a fellow fell in the hold of a ship and was unable to be carried by automobile to the hospital. They had to strap him to a board down on the waterfront and wait three-quarters of an hour for the ambulance to come and take him to the City Hospital. I move this order should be passed.

Passed under suspension of the rule.

INTENDED USE OF MONEY ALLOTTED TO CITY BY THE STATE.

Coun. TAYLOR offered the following:

Ordered, That his Honor the Mayor advise the City Council whether or not he intends to use the \$1,192,000 allotted to the city by the state for the purpose of giving immediate relief to the unemployed of the City of Boston.

Coun. TAYLOR—Mr. President, the Legislature enacted a law whereby they were going to distribute \$5,000,000 to the cities and towns of this Commonwealth, out of which the City of Boston was to receive approximately \$1,192,000. This bill was passed for the purpose of giving immediate relief to the unemployed of this Commonwealth. I was rather surprised today in interrogating Mr. Fox, the auditor, to learn that the greater portion of this money was to be used in the budget of next year in the Public Works Department. I do not think that was the intention of the Legislature when they passed that bill. They wanted to give this money to the City of Boston and the other municipalities for the purpose of putting to work those unfortunate people who are now unemployed who are unable to be taken care of by the W. P. A. or any other relief agency. I would like to be advised by the Mayor whether or not the people of the City of Boston are going to benefit by this money that the state is giving to the cities, because it is of vital concern so far as the citizens of this community are concerned, the people here who are not working. The state has given the money for the work and the sole question hinges on whether or not we are going to use that money for the purpose for which it was given.

Coun. SHATTUCK—In past years, for the last four or five years, the state has used a

portion of the Highway Fund to reduce the state tax assessed on the cities and towns. It was found as a result of all that that they were losing the grants from the Federal Government because the Federal Government said "This Highway Fund is for highways and cannot be diverted to other purposes. If you do divert it you will lose our grant," and they have already reduced their grants and would reduce it further next year. Therefore, instead of using that money to reduce the state tax they have distributed the money to the cities and towns. Now, unless we use it for a similar purpose, that is, towards next year's highway budget, we shall have \$1.40 added to our state tax for next year over and above all other city requirements. Our state tax at the present time is at such a figure that it is almost impossible to collect. The higher it goes, the harder it is to collect. The city's condition is such that it is a necessity in an endeavor to keep the city going on a reasonable financial keel that that money be retained and applied next year towards the highway budget, thus reducing in large part what would otherwise be an enormous addition in the tax rate for the year 1939.

Coun. IRWIN—For the past two years everybody has been watching the battle between the Governor and the Legislature over how the five million dollars would be spent. Every day anyone visiting the State House could see the corridors crowded by persons unable to secure welfare or W. P. A., in the hopes that something would be done to give him some work on the state highways. We are in an era when government taxes are high. The state tax is high and the city tax is high. That is to be expected because of the unemployment situation. When this act was passed there was nobody in the Legislature at that time who wanted to divert the five million towards the reduction of the state tax. Their aim was to put people to work, people who needed it, and I know from the title of the act it was clearly indicated that this money should be allocated to putting men to work. Now as the money has come, \$1,192,000, Boston's share will be received a week from Wednesday and those same persons coming from Boston who visited the State House now seek employment from their councilors. They are of the firm belief that thousands will be put to work and Councilor Taylor's order is one of the finest orders put through here today. It is an order placing it squarely on the shoulders of those responsible, if the persons desiring work are not going to receive it. It is all very well to say you will have a higher tax rate next year. As I stated before, it is to be expected because of this unemployment situation. I receive letters asking, now that the money is allocated to the City of Boston, to put persons in my district to work and I for one am certainly sure that I want to know how it is going to be spent and what to tell them. They are just taking advantage of a loophole in the act to spend it. In other words, the state did not give it to lower the state tax. They gave Boston the right to spend the money for unemployment and according to the contemplated plan not one single person will be put to work. They will simply divert it through another form in reducing the Public Works Department budget a million dollars. They are taking the opposite stand from what the Legislature intended them to do. I hope Councilor Taylor's order is adopted and that that information will be here at the next meeting. If we are not to be able to put people to work the people will know it through the press, so the councilors cannot be blamed for any laxity or subterfuge. We are all interested to put men to work and I would rather see a high tax rate and the \$1,192,000 spent to relieve unemployment immediately as this act will do if the procedure intended by the Legislature is followed out.

Coun. CAREY—Mr. President, like my colleagues here, I am being besieged day and night with requests as to what is going to happen to this money and what is the possibility of men being put to work immediately. We have increasing welfare costs in the City of Boston and a large share of that welfare money is

being given to people who could otherwise be employed. The purpose of this act was to furnish immediate employment and relief and I hope the Mayor in his wise judgment will see the matter wisely and give us a clear report at our next meeting as to just how he intends to use this money, hoping it will be furnished for the purpose for which it was intended.

Passed under suspension of the rule.

BRANCH LIBRARY IN ABANDONED SCHOOL IN WEST ROXBURY.

Coun. LYONS offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to establish a branch library and reading room in the abandoned school at the corner of Washington and Stimson streets, West Roxbury, as a W. P. A. project.

Passed under suspension of the rule.

INSTALLATION OF SIDEWALKS ON MAPLE STREET.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on both sides of Maple street, Ward 20, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ACCEPT AND LAY OUT GOETHE STREET.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Goethe street, Ward 20, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ACCEPT AND LAY OUT STREETS IN IN WARD 22.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 22, under the W. P. A. plan of construction:

Upland road, Converse street, Oliva road, Rena street, Brayton road, Brayton way.

Passed under suspension of the rule.

STAIRWAY CONNECTING UPLAND ROAD WITH DUNBOY STREET.

Coun. SULLIVAN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide for the erection of a stairway connecting Upland road with Dunboy street, Ward 22, as a W. P. A. project.

Passed under suspension of the rule.

RECONSTRUCTION OF HEAD HOUSE PIER AS W. P. A. PROJECT.

Coun. KERRIGAN and GEORGE MURRAY offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to reconstruct the Head House pier, South Boston, as a W. P. A. project.

Passed under suspension of the rule.

RECESS.

The Chair declared a recess at 5 o'clock for ten minutes. The Council reassembled at 5.10 and on motion of Coun. WILSON voted to adjourn.

Adjourned at 5.10 p. m., to meet again on Tuesday, August 30, at 3 p. m.

Proceedings of City Council.

CITY OF BOSTON

Tuesday, August 30, 1938.

Regular adjourned meeting of the City Council, held in Faneuil Hall, at 3 p. m., President KERRIGAN presiding. Absent, Coun. Dowd, Kelly, Peter A. Murray, Taylor.

UNFINISHED BUSINESS.

President KERRIGAN called up the matters assigned for this meeting, viz., order for the transfer of \$225 in the appropriation for Children's Institutions Department; order for the transfer of \$3,000 from the Contingent Fund for the purpose of furnishing ice for drinking fountains; appropriation of \$14,326.23 for the rental of temporary courthouse accommodations.

The question came on the passage of the orders. The several orders were passed, yeas 15, nays 0.

The Executive Committee submitted a report on the petition of Mary A. Noonan (referred February 28, 1938)—recommending the passage of the following order:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of sixteen hundred dollars be allowed and paid to Mary A. Noonan, widow of Cornelius J. Noonan, a member of the Fire Department, who died on February 10, 1938, on account of injuries received in the performance of his duty; said annuity being made up of allowances as follows:

For the widow, Mary A. Noonan, 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: John J. Noonan, born September 18, 1927; Ellen M. Noonan, born February 22, 1930; George F. Noonan, born May 4, 1931;

the payments to date from February 10, 1938, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; order passed.

President KERRIGAN called up No. 3 on the calendar, viz.:

3. Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order approved by the Mayor of Boston on October 9, 1931, and recorded with Suffolk Deeds, Book 5289, page 163, relocated Centre street, a street situated in that part of Boston called West Roxbury; and

Whereas, By the said relocation of Centre street the fee of a portion of old Centre street before said relocation, containing about 992 square feet of land, as shown on a plan made by the Street Laying-Out Department of the City of Boston, dated June, 1938, is claimed by the City of Boston; and

Whereas, At the time of said relocation an easement was taken in about 1,018 square feet of land, as shown on said plan, which prior to the said taking was claimed by Helene C. Cappuccio; and

Whereas, The said 992 square feet of land is situated in front of a parcel of land now owned by the Home Savings Bank, the successors in title of the said Helene C. Cap-

puccio, and prevents a proper and complete use of the said parcel of land owned by the Home Savings Bank; and

Whereas, The said City of Boston no longer needs for public purposes the said 992 square feet of land; it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in consideration of ten dollars (\$10), paid by the said Home Savings Bank, to convey all the City of Boston's right, title and interest in and to the said 992 square feet of land by an instrument in writing satisfactory in form to the Law Department of the City of Boston; and it is hereby further

Ordered, That as a condition precedent to said conveyance, and as a further consideration thereof, the said Home Savings Bank shall convey to the City of Boston by an instrument in writing, satisfactory to the Law Department of the City of Boston, the fee in the said 1,018 square feet of land.

On August 8, 1938, the foregoing order was read once and passed, yeas 18, nays 0.

The order was given its second reading and passage; yeas 15, nays 0.

RECESS.

The Chair declared a recess at 3.15 p. m. for the purpose of going into executive session. The members reassembled and were called to order by President KERRIGAN at 3.35 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

Report on the message of the Mayor and order for a loan of \$175,000 for H, Projects in the Public Works Department—recommending that order ought to pass.

Report accepted. Question came on passage of the order.

Coun. SHATTUCK—Mr. President, this order for \$175,000 will provide material under the H item, Department of Public Works, for keeping about eight thousand W. P. A. men at work for the balance of the year. In other words our appropriation for materials will draw down from the Federal Government about \$100,000 at least for the balance of the year,—a total of \$1,600,000 or so. In addition to that, it will draw down several hundred thousand in materials furnished by the Government in addition to the labor, so that we are getting a great deal for this appropriation and we are keeping these men at work who otherwise would have to be discharged or laid off. I shall vote for this order on the understanding that the purpose, with respect to the distribution from the state, will be carried out as announced by his Honor the Mayor. I think that is important for this reason: We are now providing eight thousand W. P. A. positions in the Department of Public Works as against three thousand last year. We are providing about all that can be handled efficiently in the department and given proper supervision. This money which we have recently received from the state should be used, or practically all of it should be used, for helping out on the tax rate for next year. That is important because next year we must raise \$2,150,000 to meet our share of the deficiency of \$9,000,000 in the appropriation of this year towards the state tax. That is, we must raise about \$1.40 on the tax rate for this one deficiency item. In addition, Boston must raise next year its entire share of the 1939 distribution of the state tax and if that tax next year is as large as it is this year, or, namely, \$17,000,000, and we have a deficiency of \$9,000,000 this year we shall have next year to share in a total burden of

\$26,000,000. Our share of \$26,000,000 would be about 20 per cent. That would be over three times as much as we are sharing this year for the state tax. Next year we shall probably have to provide on the basis of \$26,000,000 of state tax, plus the deficiency of this year. Now last year our tax rate was \$33.70. This year it is \$41.30. It might easily be \$45 next year unless we do something to offset the burden and the way we can offset at least 80 cents of the burden is to hold this money for use in the Department of Public Works next year in the budget. Now it is said this affects only those persons who directly pay the real estate tax. Of course that is very far from the truth. It affects every citizen of Boston and it affects the city itself in which every citizen is interested because the city by constantly raising the rate is making it more and more impossible to collect the taxes. It is, combined with the assessment which is in most cases excessive, in a vast number of parcels of real estate a confiscatory rate today. That is, to pay the taxes a person has to pay about all they can get in rent from the property and in many cases much more. That leaves no value to the property for the owner, as the tax is in effect a first mortgage on the property and must be paid before anything is left for a return on the investment. If there is no return on the investment and no percentage of return on the investment the property is valueless. If the property is valueless the city has no basis on which to raise its revenue. Of course it can and does purchase properties at tax sales, but you cannot meet pay rolls with bricks and mortar. You cannot meet pay rolls from parcels of land and if the city sells those properties at distress rates it is bound to destroy the possibility of assessing a much higher tax on them. The city by having so extravagant an assessment and so extravagant a rate is handicapped with respect to maintaining values which must be maintained if it is to continue year in and year out to collect revenue to meet its pay rolls and meet the interest on its debt. So it is to the interest of every citizen to see that real estate is at a healthy condition, because it is not in a healthy condition if it cannot pay its bills. It will not have the rents to pay the bills and will not have the returns to pay the bills that the city must be paid in order to meet its expenses. It is for this reason that I believe that money should be retained and I vote for this order which will keep these people at work and keep over twice as many people at work as we had last year and which will provide for all the people that Mr. Morrissey says can be efficiently handled in this way.

Coun. FITZGERALD—Mr. President, I am voting for this order on this view, that this money appropriated by the Legislature be used for the purpose for which the Legislature intended it should be used. I have here a letter from the Boston Municipal Research Bureau and the last paragraph says:

"The Research Bureau therefore urges that Boston's allotment from the Highway Fund be used to help solve next year's problem rather than to supplement the generous program now in effect."

Well, I think that my district is no different from any other district here and I have got hundreds and hundreds of people who cannot get employment on W. P. A. and who cannot get on welfare,—families where there are four or five brothers, strong and healthy young men, some of them college graduates, high school graduates. There are others who do not want to go on welfare and I believe, in all justice, they should be taken care of. It is well known that many of the departments in the city are depleted. Retirements and deaths have depleted the Public Works Department, the Water Department, Sewer Department and the Paving Department. Had not the Republican Speaker of the House, as we all know, and others by their vote had this money ear-marked, it would have gone to the Public Works Department. Now the bat-

tle is on and the fight lasted for two or three months up there. Had this money gone to the Public Works Department to be spent under the supervision of the Commissioner of Public Works, Boston would have had to pay its share just the same. You cannot get away from that. The fight was with the cities and towns that they should spend this money to help to relieve the unemployment. That was the distinct understanding. Now I don't know if any other member of this Council has the same views I have but this money going to the Public Works Department, to be spent under the supervision of Commissioner Callahan, we would have paid our share of the tax. Now the money was appropriated and it is our duty to help to relieve a lot of good people, to help keep up the great American standard; to help these young men out and the middle-aged men with some employment. Now we certainly cannot go on this way and it was that intent of the Legislature and no Research Bureau nor anybody else must try by any means to divert what the intention of that Legislature was. They firmly intended it should relieve unemployment. Now that is going to be done in every place and it should be done here. Now I vote for this appropriation today, for this loan, with that distinct understanding that something will be done to relieve those who cannot get employment under the W. P. A. I agree with everything the gentleman from Ward 5 said, but we should stop and consider many of those people who own property and got mortgages on it cannot get any aid and who must pay that tax bill, that their children are entitled to some relief and consideration. He knows better than any man in this body much of the true condition of the people who are burdened today with real estate. "You cannot eat the bricks and mortar." He never said a truer word, but something has got to be done for them and unfortunately something has been put over on this Council for a long time, and today we are in this position, that unless this money is appropriated in the way the Legislature intended, eight thousand men will be thrown out of employment. Some of us who have been here for a long time and know something about municipal finance and the way things are done, know that a lot of sins have been committed in the name of keeping these men at work, but in the future I for one shall give it a closer examination when any money comes in here to see how the money is expended and whether we are going to get 100 per cent for every dollar we appropriate.

Coun. IRWIN—Mr. President, I also am going to vote for this loan today and I hope on receipt of the money allocated by the state to the city that \$175,000 be immediately paid off. The remainder of the money, as the previous speaker has said, will be used to put men to work, which was the intention of the Legislature. Now as a member of the Legislature during the past session I attended every hearing and listened to the debate on the floor of the House of Representatives and it is true that the City of Boston can divert that money towards lowering the tax, but it was never the intent of the Legislature and there never was any argument brought forth by any member of the Republican or Democratic party other than the relief of unemployment. I am going to vote for this order with the hope and the expectation that the City of Boston will go through and spend this money as the Legislature clearly intended for them to do.

Order passed; yeas 18, nays 0.

RESURFACE BOSWORTH STREET.

Coun. FITZGERALD offered the following: Ordered, that the Public Works Commissioner be requested, through his Honor the Mayor, to resurface with smooth pavement Bosworth street, Ward 3, under the present plan of W. P. A. construction.
Passed under suspension of the rule.

ACCEPT AND LAY OUT ALL UNACCEPTED STREETS IN WARD 7 UNDER W. P. A.

Coun. KERRIGAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out all unaccepted streets in Ward 7 under the W. P. A. plan of construction.

Passed under suspension of the rule.

On motion of Coun. FITZGERALD it was voted that when the Council adjourns it be to meet on September 12.

On motion of Coun. SHATTUCK, the Council voted to adjourn at 3.55 p. m., to meet on Monday, September 12, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 12, 1938.

Regular meeting of City Council, held in Faneuil Hall at two p. m., President KERIGAN presiding. Absent, Coun. Agnew, Dowd, Kelly.

JURORS DRAWN.

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

Seventy-three traverse jurors, Superior Criminal Court, to appear October 3, 1938:

Walter J. McCarthy, Ward 1; William P. Monahan, Ward 1; John J. Todisco, Ward 1; Maurice A. Curran, Ward 2; Francis Lang, Ward 2; Patrick Martin, Ward 2; Edward J. Morgan, Ward 2; Joseph E. Murphy, Ward 2; Benny Goldman, Ward 3; John Adelson, Ward 5; Harry Belknap, Ward 5; Herbert G. Fairfield, Ward 5; Harry H. Colburn, Ward 5; Joseph J. Slatery, Ward 5; Peter Joseph Kennedy, Ward 6; Joseph R. Benson, Ward 7; William J. Benson, Ward 7; John C. Wayland, Ward 7; Thomas H. Johnson, Ward 8; John J. McDonald, Ward 8; George Hertzen, Ward 9; William L. Bohmiller, Ward 10; Joseph M. Ryan, Ward 11; Charles D. Turcotte, Ward 11; Michael J. Keohane, Ward 12; Patrick Tomkins, Ward 12; Francis J. Gilmore, Ward 13; John J. Griffin, Ward 13; Charles F. Lane, Ward 13; Peter M. Lynch, Ward 13; Hyman Braff, Ward 14; Abraham David Cutler, Ward 14; Solomon Jacobs, Ward 14; Thomas E. Lawless, Ward 14; Max Maltz, Ward 14; Sydney Rosenthal, Ward 14; Harry Peterson, Ward 15; John J. Craffey, Ward 16; Joseph M. Finn, Ward 16; Joseph B. McPherson, Ward 16; Daniel Mooney, Ward 16; Percival T. Adams, Ward 17; John M. Campbell, Ward 17; Edward A. Diver, Ward 17; Harry C. Hannigan, Ward 17; James J. O'Connor, Ward 17; William Potter, Ward 17; Philip A. Gammons, Ward 18; Arthur E. Johnson, Ward 18; Lester W. Monarch, Ward 18; Peter F. O'Rourke, Ward 18; Thomas W. Shepley, Ward 18; Michael Cronin, Ward 19; Alfred P. Curtis, Ward 19; Fred D. Young, Ward 19; Finn L. Christensen, Ward 20; Edwin F. Hopfgarten, Ward 20; James T. Jenks, Ward 20; Robert B. Martin, Ward 20; Philip F. McAnany, Ward 20; Alfred R. Wicks, Ward 20; Myer J. Harris, Ward 21; John S. Holbrook, Ward 21; Charles A. Horn, Ward 21; Lewis Kimball, Ward 21; Jere T. Sanborn, Ward 21; William Fitzgerald, Ward 22; Henry Francis, Ward 22; William J. Glavey, Ward 22; Frederick H. Holland, Ward 22; John J. Moran, Ward 22; Bernard C. Moore, Ward 22; Bernard G. Shohet, Ward 22.

Seventy-one traverse jurors, Superior Civil Court, October Sitting, to appear October 3, 1938:

William R. Buckingham, Ward 1; Elmer Burk, Ward 1; Gennaro P. Famighetti, Ward 1; John R. Holdsworth, Ward 1; James J. Hurley, Ward 1; John H. McCarthy, Ward 1; Gerald J. Hafey, Ward 2; Iwan Bloch, Ward 3; Santo M. Farinella, Ward 3; Nathan Parber, Ward 3; Louis Peter, Ward 3; William H. Seaver, Ward 3; Arthur Towk, Ward 3; William J. Gleason, Ward 4; William C. White, Ward 4; William W. Andrews, Ward 5; James H. Hamilton, Ward 5; Sylvester J. Cavanaugh, Ward 6; Patrick J. Kelly, Ward 7; Austin E. Thatcher, Ward 7; Peter A. Tschaler, Ward 7; Thomas T. Casey, Ward 8; William Jacobs, Ward 8; Paul J. Lawrence, Ward 8; Walter Richardson, Ward 8;

Fred E. Mühlenberg, Ward 9; James P. Driscoll, Ward 10; William H. Kahle, Ward 10; Matthew H. Delventhal, Ward 11; Francis Burns, Ward 12; George B. Collins, Ward 12; Raymond DeLeon, Ward 12; John W. Johnson, Ward 12; Walter A. Costello, Ward 13; James W. Thompson, Ward 13; Harry Fruman, Ward 14; Myer S. Miller, Ward 14; Lawrence H. Priest, Ward 14; Elias Ross, Ward 14; Harold E. Clarke, Ward 15; Guy B. Luke, Ward 15; Edward F. Phelan, Ward 15; John W. Stenberg, Ward 15; John F. Stone, Ward 16; Harry W. Ball, Ward 17; Walter W. Chaberek, Ward 18; Edmund J. Healy, Ward 18; Francis A. Leahy, Ward 18; Edwin T. Vance, Ward 18; Norman O. Eaton, Ward 19; Frederiek W. Griffin, Ward 19; Paul H. Kelly, Ward 19; Charles J. O'Brien, Ward 19; Johan Ferdinand Palmborg, Ward 19; Frank M. Rines, Ward 19; Howard L. Kimball, Ward 20; Arthur D. Neilson, Ward 20; Alfred A. Oster, Ward 20; William J. Shephard, Ward 20; John F. Dalton, Ward 21; George S. Ferngold, Ward 21; George T. Harnish, Ward 21; Howard E. Hunt, Ward 21; William F. Lauwers, Ward 21; Harold H. MacDonald, Ward 21; Ralph Talberth, Ward 21; William F. Carroll, Ward 22; Leo A. Cross, Ward 22; James S. McGovern, Ward 22; William J. Russell, Ward 22; Raymond A. Williams, Ward 22.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, September 12, 1938.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint the following named persons to be constables of the City of Boston for the term ending April 30, 1939, to serve civil process upon the filing of bonds:

Francis McKenzie, Hillside street, Ward 10; William F. Donovan, 361 East Eighth street, Ward 7.

Respectfully,

MAURICE J. TOBIN, Mayor.

Laid over one week under the law.

The following was received:

City of Boston,

Office of the Mayor, September 12, 1938.

To the City Council.

Gentlemen,—Subject to confirmation by your Honorable Body I hereby appoint the following persons as Weighers of Coal:

M. Francis Dooley, Havre street, East Boston; Thomas Edison, 141 Princeton street, East Boston; John Doherty, Cowper street, East Boston; Joseph Banks, 170 Border street, East Boston; James Giblin, 401 Washington street, Cambridge; William W. Currie, 4½ Centre street, Cambridge; Lillian E. Thompson, 223 Blue Hill avenue, Roxbury.

Respectfully,

MAURICE J. TOBIN, Mayor.

Laid over one week under the law.

STOP LIGHT AT NORMANDY AND SEAVER STREETS.

The following was received:

City of Boston,

Office of the Mayor, September 12, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of August 8, 1938, concerning the erection of a stop sign at the corner of Normandy street and Seaver street, Ward 14,

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, August 15, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated August 8, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner, through his Honor the Mayor, be requested to erect a 'Stop' sign at the corner of Normandy street and Seaver street, Ward 14, to safeguard this particular intersection from accident hazards. Sign to be placed on Normandy street."

This commission has experienced very unsatisfactory results from the installation of "Stop" signs. It is the opinion of our engineering force that unless certain very unusual conditions obtain at an intersection, the installation of a "Stop" sign usually increases rather than lessens the potential traffic accident hazard.

This opinion is supported by our experiences with these signs in Commonwealth avenue, where the accident rate was immediately reduced over 60 per cent after the "Stop" signs were removed. We believe that these devices are effective only in rural districts where a comparatively lightly-traveled cross-street enters a high speed highway.

In September of 1937, as the result of an executive order of the then Mayor, "Stop" signs were erected in Ashmont street, Dorchester, and at Adams street. During the eleven months preceding the installation of these signs two motor vehicle accidents involving personal injury occurred at this intersection. Since the installation five serious accidents have occurred.

Traffic engineers throughout the country are agreed that the reason for the failure of "Stop" signs in preventing accidents is that motorists habitually using the through street become aware of presence of the "Stop" sign in the side street and drive through the intersection at a higher rate of speed than if the sign were not posted. Also observations show that not more than 50 per cent of motorists obey "Stop" signs where a police officer is not present. The result is that serious high speed collision accidents occur.

For the above reasons we regret that we cannot recommend the installation of the "Stop" sign in the intersection of Normandy and Seaver streets.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

RESURFACING INWOOD STREET.

The following was received:

City of Boston.
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 15, 1938, concerning the resurfacing with smooth pavement, Inwood street, Ward 15, under W. P. A. type of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston.
Public Works Department, September 8, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface with smooth pavement, under the W. P. A. type of construction, Inwood street, Ward 15.

We would be pleased to include Inwood street in a W. P. A. list being submitted for approval, but, in all probability, the work cannot be done before next year.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

SURVEY WITH VIEW TO ERECTING HOUSING PROJECT IN LOWER END OF SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of Supplies relative to your order of July 18, 1938, concerning the making of an immediate survey of the lower end of South Boston in the vicinity of Dorchester avenue and D street, with the view of erecting a housing project in that section.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Supply Department, August 15, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I wish to report that the Boston Housing Authority has the general area referred to in the City Council's order of July 18, 1938, attached to your memorandum of July 28, 1938, under consideration.

Respectfully yours,
JOHN A. BREEN,
Superintendent of Supplies.

Placed on file.

ADMISSION OF WELFARE RECIPIENTS TO BOSTON SANATORIUM.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Superintendent of the Boston City Hospital relative to your order of July 18, 1938, concerning the subject of admission to the Boston Sanatorium of Boston residents who may have received public welfare payments.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Hospital Department, August 17, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—At a meeting of the Board of Trustees held on Wednesday, August 10, your request of July 25, 1938, to which you attached a copy of Councilor Wilson's order in regard to the admittance of Boston residents to the Sanatorium at Mattapan, was presented.

The trustees, after giving the matter careful consideration, decided that the policy now in effect of admitting Boston settled cases only should be continued.

A patient who has acquired a Boston settlement is never refused admittance to Mattapan whether he is a welfare recipient or not. It is the Boston resident who is receiving aid and who has not acquired a legal settlement in Boston who is refused.

Several years back the Sanatorium Division became so overcrowded with non-settled cases that our Boston settled cases remained on waiting lists in both the Health Department and the Boston City Hospital for long periods of time. It took some two years or more to straighten out the situation and make proper arrangements through the Health Department to see to it that discharged state cases were not referred to Mattapan for readmittance and cases without settlement were not to be referred to Mattapan at all.

As the result of this procedure some two hundred patients were gradually discharged or provided for in other institutions. At the present time there are only some seven or

eight patients in the Sanatorium at Mattapan, with its bed capacity of six hundred and twelve, who are without legal settlements.
It would be most unwise to follow any other procedure under existing conditions.

Respectfully yours,
JAMES W. MANARY, M. D.,
Superintendent.

Placed on file.

CLEANING OF ALL CATCH-BASINS IN WARD 13.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, concerning the immediate cleaning of all catch-basins in Ward 13.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
September 8, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received a copy of the following order that was passed in the City Council on August 29, 1938:

"Ordered, That the Commissioner of Public Works be requested to arrange for the immediate cleaning of all catch-basins in Ward 13."

There are approximately 1,000 catch-basins in Ward 13, thereby making it practically impossible to have them cleaned immediately, as requested in the order.

I do not feel that the catch-basins in this district warrant special attention, in preference to those in other districts. With 23,000 catch-basins to clean and a limited budget with which to work, it is impossible for us to concentrate on one particular section, without neglecting other equally important sections.

We opened bids on September 6 to have 600 catch-basins in the Dorchester district cleaned by contract. This should materially help conditions in the district.

I recommend that this order be disapproved and that the Public Works Department be allowed to proceed in this matter in its usual manner.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

SIDEWALKS ON MAPLE STREET.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, concerning the installation of sidewalks on both sides of Maple street, Ward 20, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
September 8, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received a copy of the following order that was passed in the City Council on August 29, 1938:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on both sides of Maple street, Ward 20, under the W. P. A. plan of construction."

I do not feel that any sidewalk should be constructed by a W. P. A. grant or contract

unless a lien order has been passed by the City Council and assessments made, in accordance with section 1, chapter 196, of the Acts of 1917.

This has always been the procedure in such cases and, in fairness to the thousands of property owners who have paid such assessments, I do not feel that any exceptions should be made because the work is to be done under a W. P. A. grant. Assessments may and should be made based on the city's contribution to such projects. The city's contribution is comparatively small, thereby materially reducing the assessments. This should prove sufficient inducement to the property owners to take advantage of the W. P. A. program in this respect.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

ACCEPT AND LAY OUT STREETS IN WARD 18.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, concerning the acceptance and laying out of Farrar avenue and the lower end of Ruskin road, Ward 18, together with other streets off Thatcher street in this district where housing developments have taken place.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
September 8, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council stating that the Public Works Department be requested to accept and lay out Farrar avenue and the lower end of Ruskin road, Ward 18, together with other streets off Thatcher street, where housing developments have taken place.

The matter of the acceptance of these streets is one which will have to be considered by the Board of Street Commissioners, since the area in question is private and not under the control of the Public Works Department.

I recommend that the order be referred to the Board of Street Commissioners for consideration.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING BOSWORTH STREET.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 30, 1938, concerning the resurfacing with smooth pavement Bosworth street, Ward 3, under the present plan of W. P. A. construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, September 8, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface with smooth pavement, under the W. P. A. plan of construction, Bosworth street, Ward 3.

Bosworth street is now on a list which has been approved for construction, and it is the intention of this department to carry out the request contained in this order during the present year.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.
 Placed on file.

RESURFACING CRESTON STREET.

The following was received:

City of Boston,
 Office of the Mayor, September 12, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, concerning the resurfacing with smooth pavement Creston street, Ward 14, under W. P. A. type of construction.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, September 8, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface with smooth pavement, under the W. P. A. type of construction, Creston street, Ward 14.

We would be pleased to include Creston street in a W. P. A. list being submitted for approval, but, in all probability, the work cannot be done before next year.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

CLEANING OF ALL CATCH-BASINS IN WARD 7.

The following was received:

City of Boston,
 Office of the Mayor, September 12, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 15, 1938, concerning the cleaning of all catch-basins in Ward 7.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, September 8, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received a copy of the following order that was passed in the City Council on August 15, 1938:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to have all catch-basins in Ward 7 cleaned as soon as possible."

We have approximately 23,000 catch-basins in the city that are maintained by departmental forces. In addition to this, we opened bids on September 6 to have 1,100 of these basins that are in the poorest condition cleaned by contract. One hundred of these basins are in the South Boston district. I do not believe that the catch-basins in Ward 7 are in any worse condition than those in other sections of the city.

In view of this, I recommend that this order be disapproved.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

RECONSTRUCTION OF HEAD HOUSE PIER.

The following was received:

City of Boston,
 Office of the Mayor, September 12, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of August 29, 1938, concerning the reconstruction of the Head House pier, South Boston, as a W. P. A. project.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Park Department, September 6, 1938.
 Hon. Maurice J. Tobin,
 Mayor of Boston.

Dear Sir,—I have received a memorandum from your office, with inclosure, order from the City Council, relative to the reconstruction of the Head House pier, South Boston, as a W. P. A. project.

Please be informed that a project of this nature was submitted some little time ago and was turned down by the Federal authorities with the statement that it was "maintenance."

Following your instructions of some time ago, a new project was made, which will be acted upon by the W. P. A. authorities shortly.

Very respectfully yours,
 WILLIAM P. LONG, Chairman.

Placed on file.

REPAIRS TO BENCHES AT STRANDWAY AND COLUMBUS PARK.

The following was received:

City of Boston,
 Office of the Mayor, September 12, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of August 15, 1938, concerning the immediate repairs as may be necessary to benches along the Strandway and Columbus Park, Ward 7.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Park Department, September 6, 1938.
 Hon. Maurice J. Tobin,
 Mayor of Boston.

Dear Sir,—I have received a memorandum from your office, with inclosure, order from the City Council, to make such repairs as may be necessary to the benches along the Strandway and Columbus Park.

The carpentering force of this department, consisting of three men, will make the necessary repairs as soon as it is humanely possible for them to do so. We have a large department and these men are continually repairing different sections of the city.

I might add that before the opening of the bathing season all benches in the South Boston district were repaired.

Very respectfully yours,
 WILLIAM P. LONG, Chairman.

Placed on file.

RESURFACING NOANET STREET.

The following was received:

City of Boston,
 Office of the Mayor, September 12, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, relative to the resurfacing with smooth paving, under the W. P. A. plan of construction, Noanet street, Ward 3.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, September 8, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface with smooth pavement, under the W. P. A. plan of construction, Noanet street, Ward 3.

This street is a private way and before the Public Works Department could comply with this request it would be necessary for the Board of Street Commissioners to accept it and order its construction.

I therefore recommend that this order be referred to the Board of Street Commissioners for consideration.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

**ERECTION OF WALL AT DEAD END OF
ELM HILL PARK.**

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 15, 1938, concerning arrangements for the erection of a wall at the dead end of Elm Hill park, Ward 12, with a view to protecting both pedestrian and motorist from the existing danger of dropping over this steep cliff.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, September 8, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works arrange for the erection of a wall at the dead end of Elm Hill Park, Ward 12, and I respectfully report that arrangements are being made for carrying out the request contained in this order.

The construction of the wall will be started later in the fall.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING TRULL STREET.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 15, 1938, concerning the resurfacing with smooth pavement of Trull street, Ward 15, under W. P. A. type of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
September 8, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.
Dear Mr. Doyle,—I return order of the City Council requesting the Commissioner of Public Works to resurface, under the W. P. A. type of construction of Trull street, Ward 15.

Trull street is on an approved project, and arrangements are being made so that the construction of the street will start shortly after the middle of the present month.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

**STAIRWAY CONNECTING UPLAND ROAD
WITH DUNBOY STREET.**

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, concerning the provision of the erection of a stairway connecting Upland road with Dunboy street, Ward 22, as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
September 8, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.
Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works erect a stairway connecting Upland road with Dunboy street, Ward 22, as a W. P. A. project.

Before this department could proceed in the matter, it will be necessary for the Board of Street Commissioners to lay out this stairway and order its construction. At the present time the location does not come within the jurisdiction of the Public Works Department.

I therefore recommend that the order be referred to Chairman Donoghue of the Board of Street Commissioners, for consideration by that Board.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

DISTRIBUTION OF HIGHWAY LOAN.

The following was received:

City of Boston,
Office of the Mayor, August 31, 1938.
To the City Council.

Gentlemen,—In answer to the recent order passed by your Honorable Body, regarding the proceeds of the Highway Fund, I beg to offer the following comment:

For the past eight years the Great and General Court has diverted large sums of money from the Highway Fund to the General Fund, for the purpose of relieving the state deficit, which is directly levied upon the respective cities and towns.

This year is the first year that the Legislature did not follow out this policy.

If the Legislature had diverted directly as in years gone by, probably the Federal Government would have penalized the Commonwealth of Massachusetts by withholding funds, consequently the Legislature decided to transfer the funds directly to the cities and towns for highway purposes.

Prior to establishing the budget for the present fiscal year the Tax Commissioner, on the basis of the budget submitted to the Legislature by the Governor, reported to the financial officers of Boston that the state deficit would amount to \$8,000,000 and our tax rate for this year has been established on that basis.

The state deficit, as a result of the budget finally enacted, caused a deficit of \$17,000,000, or \$9,000,000 more than originally certified to the city by the Tax Commissioner.

Our proportionate share of this additional deficit, \$2,149,000, will have to be raised in the levy of next year.

If we are to keep Boston in a solvent financial condition and meet all of our obligations as they come due, as well as care for the unprecedented relief burden, it is absolutely essential that the \$1,194,000 in question be used for highway purposes in the year 1939, thereby reducing this unexpected increase in next year's tax levy to a figure of \$955,000.

Even this procedure results in an unexpected and uncontrollable additional levy of 60 cents on the tax rate of next year.

I want the Council to further understand clearly that this statement of the 60-cent increase is not taking into consideration various other non-controllable factors, such as the rapidly declining assessed valuations of the city, the prospects of a lower return from income and corporation taxes, and a heavier Elevated deficit, the solution of all of which will be our joint and major responsibility next year.

To do other than follow the policy which I have outlined would be inviting financial disaster to the city.

Respectfully,
MAURICE J. TOBIN, Mayor.

WITHIN DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, September 10, 1938.
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,
MAURICE J. TOBIN, 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, Supplies, \$600, to the appropriation for F, Special Items, \$600.

From the appropriation for D-2, Food and Ice, \$600, to the appropriation for F-11, Workmen's Compensation, \$600.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Boston Traffic Commission:

From the appropriation for H, Relief Projects, \$2,500, to the appropriation for C, Equipment, \$850; D, Supplies, \$150; E, Materials, \$1,500.

From the appropriation for H, Emergency Relief, \$2,500, to the appropriation for C-2, Machinery, \$850; D-16, General Plant (Supplies), \$150; E-13, General Plant (Materials), \$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 Library Department:

From the appropriation for C, Equipment, \$1,350; D, Supplies, \$1,250; E, Materials, \$350, to the appropriation for B, Contractual Services, \$2,950.

From the appropriation for C-7, Furniture and Furnishings, \$600; C-9, Office Equipment, \$400; C-13, Tools and Instruments, \$350; D-1, Office Supplies, \$1,000; D-16, Miscellaneous Supplies, \$250; E-10, Electrical Materials, \$350, to the appropriation for B-39, General Repairs, \$2,950.

TRANSFER FROM PARKMAN FUND TO PARK DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, September 10, 1938.
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,
MAURICE J. TOBIN, Mayor.

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

City of Boston,
Park Department, September 2, 1938.
Hon. Maurice J. Tobin,
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 1938, 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 1938. 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.
Referred to Executive Committee.

TRANSFER RESERVE FUND TO COLLECTING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—I am forwarding herewith an order transferring the sum of \$10,000 from the Reserve Fund to permit the employment of needed temporary help in the Collecting Department, in compliance with the request contained in the attached communication from the City Collector, and recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Reserve Fund, \$10,000, to the appropriation for Collecting Department, A, Personal Service, \$10,000.

City of Boston,
Collecting Department, September 7, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I respectfully request that the amount of \$10,000 be transferred from the Reserve Fund to the A-2 item in the Collecting Department budget.

This additional money is desired for employing clerks from the Civil Service lists.

These clerks are to be used temporarily to supplement the present personnel of the Collecting Department in an endeavor to bring old tax work up to date.

Yours very truly,
MERRITT THOMPSON,
City Collector.

Referred to Executive Committee.

TRANSFERS FROM RELIEF PROJECTS APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, September 10, 1938.
To the City Council.

Gentlemen,—The chairman of the Park Commissioners has notified me that the sum appropriated for W. P. A. projects in the 1938 budget of the Park Department is nearly exhausted and that additional funds will be necessary to carry on the fifty various W. P. A. projects in that department, employing approximately 3,500 persons. The chairman further advises that the original appropriation of \$289,100 is exhausted due to the fact that the Federal Government has ceased to furnish certain of the materials used on the projects, making it now necessary for the city to supply practically all materials, and also to the fact that new projects not anticipated at the time of the passage of the budget have since been approved and are in operation.

In order to supply the additional funds necessary to carry on these projects I have had the Budget Commissioner make a study of the Relief Projects appropriations in all the city departments and he recommends that the sum of \$25,000 be secured by transfer from the Relief Projects appropriations in several other city department budgets. The Budget Commissioner also states that these surpluses are available due primarily to the fact that projects have been terminated and delays have arisen in securing approval of new projects. These transfers will in no way interfere with the projects now in operation in the departments from which the money is being transferred.

Although appropriations for Relief Projects are credited to the individual departmental budgets, they are used for the same general purposes, namely, W. P. A. employment, and concurring with the recommendations of the Budget Commissioner, I am forwarding herewith an order transferring the sum of \$25,000 from the various departments listed in the order to the Park Department, and recommend adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, 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 Boston Traffic Commission, H, Relief Projects, \$1,367.89; Building Department, H, Relief Projects, \$500; City Planning Board, H, Relief Projects, \$3,500; Election Department, H, Relief Projects, \$4,000; Health Department, H, Relief Projects, \$1,500; Institutions Department, Long Island Hospital, H, Relief Projects, \$7,277.17; Library Department, H, Relief Projects, \$5,000; Registry Department, H, Relief Projects, \$1,000; Statistics Department, H, Relief Projects, \$854.94, to the appropriation for Park Department, H, Relief Projects, \$25,000.
Referred to Executive Committee.

RECONSTRUCTION OF THREE CITY BRIDGES BY P. W. A. PROJECTS.

The following was received:

City of Boston,
Office of the Mayor, September 12, 1938.
To the City Council.

Gentlemen,—Under date of August 29 I submitted to your Honorable Body a recommendation that a portion of the funds to be received by the city under the provisions of chapter 500 of the Acts of 1933 (the Highway Fund Distribution Bill) be utilized in connection with a P. W. A. project involving the reconstruction and repair of three city bridges. I indicated in the message accompanying this recommendation that with this one exception it was my intention to reserve the balance of the city's distributive share for the financing

of the highway activities of the city in 1939. I am now of the opinion that the entire amount received by the city should be reserved for this purpose and so I request permission to withdraw the orders which accompanied my message.

Relying on the opinion of the Commissioner of Public Works, I feel it necessary in the interests of public safety to provide for the reconstruction and repair of the three bridges mentioned in my previous message. To this end I submit herewith two orders providing that the proposed work shall be carried forward as a P. W. A. project and that the funds necessary to meet the city's share of the cost be secured by the issuance of loans under authority of chapter 366 of the Acts of 1933. According to the estimates of the Bridge Division of the Public Works Department, the total cost of the project will be \$265,000, of which amount the city will probably be called upon to provide roughly \$150,000.

In view of the fact that September 30 has been set as the dead line for the submission of P. W. A. projects, I respectfully recommend immediate consideration and adoption of the accompanying orders by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

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 \$265,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works for the Reconstruction and Repair of the Albany, Berkeley and Boylston Street Bridges, and to meet such 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.

Ordered, That in accordance with the provisions of section 2, 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 following Public Works Project: Reconstruction and Repair at an estimated total cost of \$265,000 of the following bridges:

| | |
|----------------------|-----------|
| Albany Street..... | \$150,000 |
| Berkeley Street..... | 75,000 |
| Boylston Street..... | 40,000 |

Referred to Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named:

Claims.

American Moulding Co., Inc., for compensation for damage to property at 97 Portland street, caused by backing up of sewage.

The Aquila Importing Company, for compensation for damage to property at 151 Salem street, caused by blockage in catch-basin.

Bay State Hardware Company, for compensation for damage to truck by ash truck.

William V. Brothers, for compensation for injuries caused by city employees.

Joseph DeLaurentis, for compensation for damage to property at 33 North Anderson street, caused by overflow of sewer.

James J. Doyle, for compensation for damage to property at 26 Monument street, Charlestown, caused by defective sewerage system.

Fair Sex-Price Millinery, Inc., for compensation for damage to millinery at 2224 Washington street, caused by sewer construction.

Rudolph F. Garneau, for compensation for loss of clothing taken from locker at Carson Beach.

Raffaello Iennaco, for compensation for damage to property at 151 Salem street, caused by stoppage in catch-basin.

Paul Kepriotz, for compensation for damage to car by fire engine.

Thomas Kirwan, for compensation for damage to property at 288 Marginal street, caused by defective sewer.

S. S. Kresge Company, for compensation for damage to property at 2235 Washington street, caused by overflow of catch-basin.

Margaret MacNeil, for compensation for damage to property at 15 Blanche street, Dorchester, caused by roots of tree in sewer.

Alice C. McPaul, for compensation for damage to car by police car.

Earl V. McGill, for compensation for damage to car by police car.

Mary Montagna, for compensation for damage to car by ash truck.

Delia A. Murphy, for compensation for damage to property at 636 Tremont street, caused by police.

Eva Nurenberg, for compensation for injuries caused by an alleged defect at 18 Chester street.

Dennis Reilly, for compensation for loss of money taken from locker at Tenean Beach.

Georgina Senna, for compensation for injuries caused by an alleged defect at 365 Dudley street.

Anna Sileasky, for refund on refuse tickets.

Joseph Silk, for compensation for damage to property at 135 Lamartine street, caused by water from street.

Touraine Lunch Company, Inc., for refund on refuse tickets.

Aurelio Venezia, for compensation for injuries caused by an alleged defect at North Bennet Street Bath.

Samuel D. Wilson, for compensation for damage to car caused by an alleged defect at 909 Massachusetts avenue.

Abraham M. Wolfman, for compensation for damage to car by city truck.

Edward L. Maginnis, for loss of teeth at City Hospital.

Executive.

Petition of Mary A. Kelley to be paid an annuity on account of the death of her husband, John A. Kelley, late member of the Fire Department.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of John J. O'Brien, Jr., and William F. Dwyer, having been duly approved by the City Treasurer, were received and approved.

Placed on file.

RESIGNATION OF HERBERT ROSENBERG AS CONSTABLE.

Notice was received of the acceptance by the Mayor of the resignation of Herbert Rosenberg as constable of the City of Boston.

Placed on file.

APPOINTMENT BY THE MAYOR.

Notice was received from the Mayor of the appointment of Daniel Driscoll as custodian of real estate.

Placed on file.

APPROVAL OF LOAN.

Notice was received of approval by the State Emergency Finance Board of loan for \$175,000, Paving Service, H. Relief Projects.

Placed on file.

SOLDIERS' RELIEF.

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

TRIBUTE TO LATE COUNCILOR PETER A. MURRAY.

Coun. ENGLERT offered the following:

Resolved, That the City Council of Boston acknowledge with deep regret the untimely passing of our brother member, Peter A. Murray, who, for a lifetime, was a friend of all within our city and whose service in the Boston City Council merits the commendation of all the citizens of our city; and be it further

Resolved, That in memory of our late friend and colleague this Body now stand for one minute of silent and prayerful tribute.

The resolution was unanimously adopted and the Council stood for one minute in silent tribute.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Coun. FITZGERALD, for the Committee on Public Lands, submitted the following:

Report on message of Mayor and order (referred June 27, 1938) as to sale of land on St. Theresa avenue—recommending that same ought to pass.

Report accepted; said order passed, yeas 16, nays 0.

CONSTRUCTION OF SAFETY ISLANDS ON MORTON STREET.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct safety islands on Morton street, from Harvard street to Blue Hill avenue, for the protection and safety of both pedestrians and motorists, same to be carried out as a W. P. A. project.

Passed under suspension of the rule.

CONSTRUCTION OF SAFETY ISLANDS ON BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to narrow the reservation space on Blue Hill avenue, from Morton street to Stratton street, and to install safety islands for the protection of pedestrians and Elevated passengers.

Coun. ROSENBERG—Just a word regarding this last order. A great many accidents have been occurring on Morton street between Harvard street and Blue Hill avenue. The thoroughfare has very wide spaces in which the pedestrians encounter great difficulty in crossing. In view of the tremendous highway route used to go to the South Shore and Providence pedestrians are having great difficulty without adequate protection of safety regulations. I realize the prospect of getting traffic lights at this time is futile, but I believe with the construction of an island the pedestrians may have some means of safety and cut down the great accident rate that now exists in that section.

Passed under suspension of the rule.

NAMING OF ALBERT C. CHAMBERS SQUARE.

Coun. FISH offered the following:

Ordered, That the space at the junction of Dorchester avenue and Park street, Ward 16, be named Albert C. Chambers square, in honor of said Chambers, late veteran of the World War.

Passed under suspension of the rule.

ACCEPT AND LAY OUT GUSTIN STREET UNDER W. P. A. PLAN.

Coun. FISH offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Gustin street, Ward 16, from King to Rosslerin streets, under the W. P. A. plan of construction.
 Passed under suspension of the rule.

CONCERNING THE TAKING OF SEA WORMS.

Coun. HUTCHINSON offered the following:
 An Ordinance Concerning the Taking of Sea Worms.

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 twenty-one the following:

Taking of Sea Worms.

Section 21-A. No person other than a registered voter of the City of Boston shall take sea worms within the limits of the city, except that this prohibition shall not apply to a person taking for his own use and not for purposes of sale not more than one-half pint of sea worms in any one day. Any person violating the provisions of this section shall be punished by a fine not exceeding twenty dollars for each offense.

Referred to Committee on Ordinances.

RESURFACING CERTAIN STREETS IN WARD 13.

Coun. HUTCHINSON offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 13, under the W. P. A. plan of construction:

Spring Garden street, Folsom street, Fairbury street, Dewey street.
 Passed under suspension of the rule.

ERECTION OF TRAFFIC SIGNALS.

Coun. TAYLOR offered the following:
 Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect traffic signals at the junction of Seaver street and Humboldt avenue and at the junction of Warren street, at the corner of Cliff, Moreland and Regent streets.
 Passed under suspension of the rule.

TRAFFIC LIGHTS ON BLUE HILL AVENUE.

Coun. TAYLOR and ROSENBERG offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect traffic signals at the corner of Blue Hill avenue, Brunswick and Devon streets.

Coun. TAYLOR—While the Mayor is submitting to us an appropriation for money for the repair of bridges, and I am in accord with anything that pertains to the safety of our people, I think it is about time, in view of the requests from our constituents in this district that something be done regarding the safety of people who cross streets at very dangerous intersections and that ways and means be provided for securing an appropriation of a substantial sum of money so that the Mayor can proceed along further in his urgent desire to protect pedestrians who cross streets. I know in our district there are very many bad intersections that require something be done in behalf of these people, and the only way it can be done properly is by the erection of traffic signals.

Passed under suspension of the rule.

LAY OUT AND ACCEPT BOYLSTON PLACE, WARD 11, UNDER W. P. A. PLAN.

Coun. ENGLERT offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Boylston place, Ward 11, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

LAY OUT AND ACCEPT OAKVIEW AVENUE UNDER W. P. A. PLAN.

Coun. ENGLERT offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Oakview avenue, Ward 11, as a public highway under the W. P. A. plan of construction.

Passed under suspension of the rule.

CLOSING OF DUMPS IN RESIDENTIAL SECTIONS.

Coun. NORTON offered the following:
 Ordered, That the Health Commissioner of Boston, through his Honor the Mayor, be requested to consider the matter of closing all active dumps located in residential sections.

Passed under suspension of the rule.

WINTER SPORTS CENTER ON WRIGHT GOLF COURSE.

Coun. NORTON offered the following:
 Ordered, That the Park Commissioner of Boston, through his Honor the Mayor, consider the advisability of making a winter sports center on the George W. Wright Golf Course, Hyde Park, with W. P. A. labor.

Coun. NORTON—I understand the only available land in Boston is on the George W. Wright Golf Course in Hyde Park to make a winter sports program possible. The Mayor of Boston was out there a few weeks ago and, as a matter of fact, sort of leaned towards the idea. W. P. A. labor is available and with leisure time and the general idea of fitness in sports predominant, I think we have a splendid opportunity at the present time of making this section of Boston the Switzerland of our city so far as winter sports are concerned.

Passed under suspension of the rule.

INSTALLATION OF SIDEWALKS ON BROOKFIELD STREET, W. P. A. PLAN.

Coun. LYONS offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on both sides of Brookfield street, Ward 20, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ACCEPT AND LAY OUT CERTAIN STREETS IN WARD 20, W. P. A. PLAN.

Coun. LYONS offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 20 as public highways under the W. P. A. plan of construction: Chellman street, Schortmann's terrace.

Passed under suspension of the rule.

EULOGY—LATE COUN. MURRAY.

Coun. NORTON asked unanimous consent to make a statement.

There being no objection, Coun. NORTON made the following statement:

Mr. President, there is a vacant chair in this Council Chamber today. Another river of life has reached the ocean. Another member of this Honorable Body has filed his last order and has gone on to his eternal reward. Another life is now but a memory—a lingering strain of music. The late Councilor Peter A. Murray of Jamaica Plain, who faithfully served the people of his district in this body for over eleven years, has fallen into that sleep which we call death. His lips are sealed forever.

Death should be no stranger to those of us who are in public life, for it is continually falling around us, and is ever in our presence, and we know that we start to die from the moment we are born, but, nevertheless, when death takes one who is close to us, sharp pangs of ineffable grief stab our hearts.

Experience inevitably teaches that on the inexorable stage of human life all individuals have their parts today. In this great drama the scenery is continually shifted and one by one the players suddenly leave the moving platform. Never is there a pause, for life—the show—must go on.

Someone, somewhere has said that in the engulfing hands of omnipotent death, we find only what we gave to others, and, if this be so, and we know that it is so, then there is no world in which our late colleague will not be welcome, for one of the outstanding characteristics in the life of the late Councilor Peter A. Murray was his constant regard and thoughtfulness for the welfare of others.

Even when stricken with a fatal illness on the floor of this Council, at a meeting held in America's illustrious Faneuil Hall, while being removed on a stretcher to the waiting ambulance,—and fully cognizant of the fact that he was about to die,—he called for the President of the Council and used his fast waning strength to say so dramatically: "Mr. President, this is my last appearance at a Council meeting. I wish to offer my final order and that order is that you and every other member of this body win your contests and that life for all of you in the future hold nothing but success and happiness. This is Peter's last order. Good-bye!" With the Angel of Death hovering over him, Peter Murray's last thought was for the welfare of others and not of himself.

He listened sympathetically to the woes of the poor and all that he had he gave. No one ever appealed to him in vain. His charities were as boundless as the heavens. I know, because on many an evening I have sat with him in his home and witnessed streams of supplicants filing in to request his aid. He pitied the poor, the friendless and the helpless. No one could wander beyond the periphery of his sympathy, for he was touched by the pathos of life and knew that anything that wiped a tear from the face of a living creature was good. Generous deeds never die. A multitude of people was made happier because he lived. He shed good deeds as the sun sheds light. If all his kind acts were flowers, the air would be redolent with perfume here today. If all his good deeds were music, the golden strains of a major symphonic poem would fill the city.

For ten long years I have had the distinct privilege of sitting alongside of the late Peter Murray in this Council body, and on an occasion of this character, while looking at that vacant chair, words are totally and wholly inadequate to express the feelings that grip one's heart. Language is not subtle enough or tender enough to express the ocean of poignant feeling that inundates our minds at an hour such as this.

And so,—farewell, dear friend. Your colleagues, with whom you faithfully served for many long years, devoutly petition He who controls all to be as charitable with you as

you have been with the friendless and helpless of this, your native city.

"The saddest word fond lips have ever spoken;
A little word that breaks the chain of years;
Its utterance must ever bring emotion,
The memories it crystals cannot die,
'Tis known in every land, on every ocean—
'Tis called "Good-bye."

RECESS.

The Council voted at 3.10 p. m., on motion of Coun. FISH, to take a recess subject to the call of the Chair. The members re-assembled and were called to order at 3.50 by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of the Mayor and order (referred this day) transferring \$19,000 from the Parkman Fund—recommending order ought to pass.

Report accepted; yeas 17, nays 0, and order passed.

2. Report on message of the Mayor and order (referred this day) for transfers in the Boston Traffic Commission and Boston Sanatorium and Library Department—recommending transfers ought to pass.

Report accepted; orders passed, yeas 17, nays 0.

3. Report on message of the Mayor and order (referred this day) transferring \$10,000 from the Reserve Fund to the Collecting Department—recommending order ought to pass.

Report accepted; order passed, yeas 17, nays 0.

4. Report on message of the Mayor and order (referred this day) transferring \$25,000 from Various H Relief Items—recommending order ought to pass.

Report accepted; order passed, yeas 17, nays 0.

5. Report on message of the Mayor and order (referred this day) for loan of \$265,000 for reconstruction and repair of the Albany, Berkeley and Boylston Street Bridges—recommending order ought to pass.

Report accepted; order passed, yeas 15, nays 0.

6. Report on petition of Margaret E. Williams (referred January 31, 1938) to be paid an annuity on account of the death of her husband, John H. Williams, late member of the Fire Department—recommending the passage of the following order:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of one thousand dollars be allowed and paid to Margaret E. Williams, widow of John H. Williams, a member of the Fire Department, who died on January 14, 1938, from injuries received in the performance of his duty, said annuity being made up of allowance as follows:

For the widow, Margaret E. Williams, so long as she remains unmarried, \$1,000 per annum:

the payments to date from January 15, 1938, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; order passed.

7. Report on petition of Mary A. Noonan (referred February 28, 1938) to be paid an annuity on account of the death of her husband, Cornelius J. Noonan, late member of the Fire Department—recommending the passage of the following order:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of sixteen hundred dollars be allowed and paid to Mary A. Noonan, widow of Cornelius J. Noonan, a member of the Fire Department, who died on February 10, 1938, from injuries received in the performance of his duty, said annuity being made up of allowances as follows:

For the widow, Mary A. Noonan, so long as she remains unmarried, \$1,000 per annum. For each of 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 earning, \$200 per annum: John J. Noonan, born September 18, 1927; Ellen M. Noonan, born February 22, 1930; George F. Noonan, born May 4, 1931; the payments to date from February 11, 1938, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Report accepted; order passed.
8. Report on petition of Ellen C. Kelley (referred February 28, 1938) to be paid an annuity on account of the death of her husband, Edward J. Kelley, late member of the Police Department, recommending the passage of the following order:

Ordered, That under the provisions of chapter 340 of the Acts of 1933, an annuity of fourteen hundred dollars be allowed and paid to Ellen C. Kelley, widow of Edward J. Kelley, a member of the Police Department, who died on January 14, 1938, from injuries received in the performance of his duty, said annuity being made up of allowances as follows:

For the widow, Ellen C. Kelley, so long as she remains unmarried, \$1,000 per annum. For each of 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 earning, \$200 per annum: John J. Kelley, born December 26, 1921; Frederick T. Kelley, born June 24, 1924; the payments to date from January 15, 1938, and to be charged to the appropriation for Police Department, Pensions and Annuities.

Report accepted; order passed.

STEPHEN DARIUS SQUARE.

Coun. KERRIGAN offered the following:

Ordered, That the space at the junction of D street and Old Colony road, Ward 7, be named Stephen Darius square, in honor of said Darius, late veteran of the World War.

Passed under suspension of the rule.

FUEL ORDERS FOR WELFARE RECIPIENTS.

Coun. KERRIGAN offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to use their discretionary powers in the matter of issuing fuel orders to welfare recipients prior to the usual date in November, provided, in their opinion, weather conditions warrant same.

Passed under suspension of the rule.

RESTORE FLAGPOLE ON BOSTON COMMON.

Coun. SHATTUCK offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to restore the flagpole on Boston Common, using the income from the Parkman Fund or other available funds for this purpose.

Passed under suspension of the rule.

DATE OF NEXT MEETING.

Coun. NORTON moved that when the Council adjourn it be to meet on September 26.

FLAGPOLE AT CITY SQUARE.

Coun. GALVIN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to install a new flagpole at City square, Ward 2.

Passed under suspension of the rule.

EXTENSION OF HUNTINGTON AVENUE SUBWAY TO HYDE SQUARE, JAMAICA PLAIN.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to confer with the proper W. P. A. officials in Washington on the matter of extending the Huntington Avenue Subway to Hyde square, Jamaica Plain, through the use of W. P. A. funds.

Coun. CAREY—Mr. President, in years past we have seen the extension of the Elevated service to Ashmont via rapid transit service, to Cambridge by a tube, to Everett by an overhead elevated structure, and the result has been a migration of the people from Boston to places like Milton, Cambridge and Arlington, Everett, Malden, Melrose and other communities outside of and distinct from the City of Boston. We all admire the efforts of the Mayor to keep down and, in fact, to try to reduce an already exorbitant tax rate by trying to keep here in the city business houses. However, I think it would be important to keep homes with people who are going to live in them. There is in the Roxbury and Jamaica Plain sections of the city plenty of room for development and I think an effort on the part of the Mayor to get cooperation and assistance from the W. P. A. officials in Washington to extend this tube from Huntington avenue to Hyde square would be something well worth while and I hope his effort will be bent towards this end and accordingly recommend the passage of this order.

Passed under suspension of the rule.

EXTENSION OF FIVE-CENT FARE ZONE ON HUNTINGTON AVENUE LINE.

Coun. CAREY offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to extend the five-cent fare zone on the Huntington avenue line from its present limit at Brighton Circle to the cross-over on South Huntington avenue.

Passed under suspension of the rule.

SURVEY OF TRAFFIC HAZARDS AT LA GRANGE STREET AND VERMONT STREET.

Coun. LYONS offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to make a survey with reference to traffic hazards at the intersection of La Grange and Vermont streets, Ward 20, with a view to installing warning signs to replace the blinker which was recently removed from this location.

Passed under suspension of the rule.

On motion of Coun. HUTCHINSON, the Council voted to adjourn at 4.10 p. m., to meet on Monday, September 26, 1938, at 2 p. m.

CITY OF BOSTON

Proceedings of City Council.

Monday, September 26, 1938.

Regular meeting of the City Council, held in Faneuil Hall at 2 p. m., President KERIGAN presiding. Absent, Coun. Dowd, Murray, Rosenberg, Shattuck, Taylor.

PETITIONS REFERRED.

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

Claims.

Mary D. Adams, for compensation for damage to clothing by city employees.

Elizabeth F. Beavis, for compensation for injuries caused by an alleged defect in Belfort street.

Thomas W. Best, for compensation for damage to property at 14 Dilworth street, caused by steam roller breaking drain pipe.

Julia A. Burns, for compensation for injuries caused by an alleged defect at 1686 Centre street, West Roxbury.

Harold Chamian, for compensation for damage to car by city truck.

Nicholas Danner, for compensation for injuries caused by city truck.

Rose Demling, for compensation for injuries caused by an alleged defect in City Hall Annex.

Grace E. Doherty, for compensation for injuries caused by an alleged defect in Brooks street.

Felicie Gorman, for compensation for injuries caused by an alleged defect in Dover Street Municipal Bath.

Thomas F. Greer, for compensation for damage to car caused by an alleged defect at 109 East Dedham street.

John L. Hennessy, to be reimbursed for execution issued against him.

Jackson's, Inc., for refund on refuse tickets.

William V. Kenney, for compensation for injuries caused by an alleged defect in Walworth street.

Esther Lakeman, for compensation for damage to car caused by an alleged defect at 12 Collins street.

Matthews Kadetsky Company, for refund on refuse tickets.

Patrick McDermott, for compensation for injuries caused by an alleged defect in William Smith Playground.

Gertrude L. Nelligan, for compensation for injuries caused by an alleged defect at 1719 Commonwealth avenue.

Earl C. Nickles, for compensation for damage to car by ladder truck.

Frederick L. O'Neil, to be reimbursed for execution issued against him.

Piscopo Liquor Store, Inc., for compensation for damage to property at 2-6 Barnes avenue, caused by water being shut off.

Wilhelmina M. Rosen, for compensation for damage to car caused by an alleged defect in Walk Hill street.

John A. Sandmeyer *et al.*, for compensation for damage to articles caused by flooded cellar at 30 Jamaica way.

Twelfth Baptist Church, for compensation for damage to property at 680 Shawmut avenue, caused by fire engine.

Lena Wilker, for compensation for injuries caused by an alleged defect at 7 Landor road.

Special Committee on Jitney Licenses.

Petition of Eastern Massachusetts Street Railway Company for license to operate motor vehicles from Mattapan to Haymarket square; Route, on Neponset River Bridge; on Blue Hill avenue between Neponset River Bridge and Seaver street; on Seaver street between Blue Hill avenue and Columbus avenue; on

Columbus avenue between Seaver street and Park square; on Stuart street between Columbus avenue and Broadway; on Broadway between Stuart street and Park square; in Park square, across Boylston street to Charles street; on Charles street between Boylston street and Cambridge street; on Cambridge street between Charles street and Bowdoin square; in Bowdoin square, on Chardon street between Bowdoin square and Merrimac street; on Merrimac street between Chardon street and Haymarket square; in Haymarket square.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of William D. Whitmore, having been duly approved by the City Treasurer, was received and approved.

PAYMENT OF AID TO SOLDIERS AND SAILORS.

Coun. IRWIN, 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 September.

Report accepted; said order passed.

The President called up, under unfinished business, the following three orders:

RECONSTRUCTION AND REPAIR OF BRIDGES.

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 \$265,000 be, and hereby is, appropriated, to be expended under the direction of the Commissioner of Public Works for the Reconstruction and Repair of the Albany, Berkeley and Boylston Street Bridges, and to meet such 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 order was given its second reading and passage, yeas 15, nays 0.

TRANSFER OF \$25,000 TO PARK DEPARTMENT.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to transfer:

From the appropriation for Boston Traffic Commission, H. Relief Projects, \$1,367.89; Building Department, H. Relief Projects, \$500; City Planning Board, H. Relief Projects, \$3,500; Election Department, H. Relief Projects, \$4,000; Health Department, H. Relief Projects, \$1,500; Institutions Department, Long Island Hospital, H. Relief Projects, \$7,277.17; Library Department, H. Relief Projects, \$5,000; Registry Department, H. Relief Projects, \$1,000; Statistics Department, H. Relief Projects, \$854.94, to the appropriation for Park Department, H. Relief Projects, \$25,000.

Coun. AGNEW—Mr. President, on the transfer from relief items to the Park Department, that is to be used for what purpose in the Park Department?

President KERRIGAN—To be used as an H item.

The order was given its second reading and passage, yeas 15, nays 0.

SALE OF LAND ON ST. THERESA AVENUE.

Ordered, That his Honor the Mayor be, and hereby is, authorized to convey by instrument satisfactory to the Law Department, all the city's right, title and interest in and to the land on St. Theresa avenue westerly of

Churchill road, lying between the southerly line of St. Theresa avenue and the old lines of Cottage avenue, said conveyances to be made only to the owners of parcels of land formerly abutting on old Cottage avenue and cut off from access to St. Theresa avenue by said city land. Each parcel so conveyed to be bounded on the side or sides by lines at right angles to the street line of St. Theresa avenue and connecting in each case with the dividing line between lots. The consideration for each such parcel so conveyed to be the sum of twenty-five dollars.

The order was given its second reading and passage, yeas 15, nays 0.

CONFIRMATION OF APPOINTMENTS.

The President called up the appointments submitted by the Mayor, September 12, 1938, viz.:

Constables: For term ending April 30, 1939, to serve civil process upon the filing of bonds:

Francis McKenzie, Hillside street, Ward 10; William F. Donovan, 361 East Eighth street, Ward 7.

Weighers of Coal: M. Francis Dooley, Havre street, East Boston; Thomas Edison, 141 Princeton street, East Boston; John Doherty, Cowper street, East Boston; Joseph Banks, 170 Border street, East Boston; James Giblin, 401 Washington street, Cambridge; William W. Currie, 43 Centre street, Cambridge; Lillian E. Thompson, 223 Blue Hill avenue, Roxbury.

The question came on confirmation of the appointments. Committee, Coun. Hutchinson and Irwin, and the appointments were confirmed, yeas 10, nays 4.

NOTICE OF ELECTION OF COUNCILOR FOR WARD 19.

Coun. ENGLERT offered the following:

Ordered, That meetings of the citizens of Ward 19 qualified to vote for city officers be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, December 6, 1938, to give in their votes for one member of the City Council from said ward, 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 according to law.

Passed under suspension of the rule.

ACCEPTANCE OF AMORY AVENUE, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Amory avenue, Ward 11, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

SIDEWALK ON SOUTH HUNTINGTON AVENUE.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk in front of No. 365 South Huntington avenue, Ward 10, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 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.

DANGER FROM FALLEN ELECTRIC WIRES.

Coun. CAREY offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to instruct the teachers in our public schools to impress upon the children the serious danger that might result from playing with and around fallen electric and telephone wires that still remain in our streets from last Wednesday's storm.

Coun. CAREY.—We all know and admire the work that is being done by the city departments, the Park Department and the Department of Public Works, in clearing away debris and fallen trees that are a menace to the public, as a result of the storm of last Wednesday. While we do not expect the city to go into a man's back yard and take trees that are leaning against his barn, nevertheless there is existing a very serious danger to the people living in houses and to those who must pass those houses or other structures where these trees remain to be cleared away. We have had complaints by people in our neighborhoods about what they term the delay in clearing this debris away. If fire trucks or ambulances must go through those streets to reach a fire or to take people to a hospital, the streets must be kept open and remain open for them. While we admire the efforts that are being made, I am sure the citizens of Boston will appreciate the concentration of efforts by the department in clearing away these dangerous trees and obstructions from the streets. I therefore ask passage of the order.

The order was passed under suspension of the rule.

REMOVAL OF UPROOTED TREES.

Coun. CAREY offered the following:

Ordered, That in the best interests of public safety, the Park Commission and the Commissioner of Public Works be requested, through his Honor the Mayor, to take immediate steps to remove all trees still leaning against houses, buildings, or structures of any kind from last Wednesday's storm and be it further

Ordered, That after such trees have been removed, the Park Commission and Commissioner of Public Works be requested to then give preference to the cleaning of fallen trees and other trees still remaining in our streets instead of cleaning such debris from the parks and reservations where it is of much less menace.

Passed under suspension of the rule.

POSTPONEMENT OF INTEREST ON UNPAID TAXES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor consider the advisability of urging such legislation at a special session of the Massachusetts Legislature as will postpone the interest date on unpaid 1938 taxes.

Passed under suspension of the rule.

W. P. A. PROJECT FOR CLEANING OF STORM DEBRIS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, incident to rehabilitation following the recent storm, be requested to sponsor a W. P. A. project which shall provide for the clearing away of debris, and the removal of fallen or unsafe trees and other wreckage resulting from the storm of last week.

Coun. WILSON—Incidentally, congratulating you personally on your very able handling of the storm situation, one member of the Council suggested that perhaps we could not expect the city to clear away debris and fallen trees from private

property. I am not so sure that they should not be removed, because, in a city like Milwaukee, unsafe buildings, with the permission of the owners, have been cleared away by the city. This would not only aid those who have been seriously injured financially as the result of the storm, but the general safety of the public would certainly warrant a W. P. A. project which would undoubtedly be more valuable than many of the projects which we have seen. It would certainly be more valuable than raking leaves from city gutters to clear away the fallen trees and boughs and the other debris as a W. P. A. project.

I certainly think that the property owners of this city, thousands of them, are in no financial condition to clear away the trees that have broken through garages and roofs. I do not know offhand just what procedure a man would follow to get the roots removed of two or three large trees which are at an angle and have them carted away within his financial means. I understand, unless prices dropped a good deal, the complete uprooting of a large tree and the carrying away of the trunk and roots runs into \$100 or \$200.

With so many men out of employment and with the W. P. A. labor supposedly aimed at the public good, I believe that no better project could be contemplated for the use of public money collected from taxpayers than to use W. P. A. labor for the clearing away of the cyclone damage against which practically nobody was insured.

Passed under suspension of the rule.

REOPENING OF COMMODITY STATION
ON WOODROW AVENUE.

Coun. HUTCHINSON, for Coun. ROSENBERG, offered the following:

Ordered, That his Honor the Mayor be requested to exert every effort to have the commodity station on Woodrow avenue immediately reopened, in order that the recipients both on the Welfare and W. P. A. will not be required to spend carfare in order to receive the commodities that are available for distribution.

Passed under suspension of the rule.

ACCEPTANCE OF COLLINS STREET,
MATTAPAN.

Coun. NORTON 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, Collins street, Mattapan, under the W. P. A. plan of construction.

Passed under suspension of the rule.

UNDERGROUNDING OF LIVE WIRES.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of seeking legislative action to place all live wires in Boston underground.

Coun. NORTON—I think every wire that is on the public streets or that can kill or injure a man should be underground. If this hurricane has proven any one thing it has proved that all the wires in Boston carrying electric juice should be underground. Thousands of homes in this city today have no fire, no heat, no appliances. If the wires were underground we would not have the catastrophe that has visited this city in so far as placing thousands of homes at an inconvenience.

Passed under suspension of the rule.

WINDOWS AT CITY HOSPITAL.

Coun. NORTON—I ask unanimous consent to make a statement.

Unanimous consent was given.

Coun. NORTON—I understand that one of the finest jobs done in this city during the hurricane was at the Boston City Hospital, when some of these plate glass windows on the maternity building and one or two other buildings collapsed. Superintendent Manary had a corps of workers from the Dorchester Plate Glass Company and had those windows in by the time the storm subsided. I think that was a splendid piece of work and I am pleased to place that statement in the record.

SIDEWALK ON HALL STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Hall street, both sides, Ward 11, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

Adjourned, on motion of Coun. FITZGERALD, at 3 p. m., to meet on Monday, October 3, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 3, 1938.

Regular meeting of the City Council, held in Faneuil Hall, at 2 p. m., President KERRIGAN presiding. Absent, Coun. Dowd and Fitzgerald.

JURORS DRAWN.

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

Twenty-five traverse jurors, Superior Civil Court, to appear October 6, 1938:

John J. MacCormack, Ward 1; James M. Phelan, Ward 1; Harold A. Seaward, Ward 1; Thomas F. Tully, Ward 3; Alfred O. Berntsen, Ward 4; Ralph F. Macauley, Ward 5; George M. Sallaway, Ward 8; Edward J. Sommerville, Ward 8; Frederick M. Taylor, Ward 8; Frank H. Harms, Ward 9; Richard L. Richardson, Ward 9; Francis B. Doherty, Ward 12; Timothy C. Donahue, Ward 12; Vincent J. Cotter, Ward 13; Walter F. Ferguson, Ward 13; John F. Joyce, Ward 13; James A. McGrail, Ward 13; Benjamin G. Hambro, Ward 14; James A. Holland, Ward 15; John Reid, Ward 17; Roger E. Bates, Ward 18; Maynard K. Carle, Ward 18; Richard W. Dresser, Ward 19; Frank J. O'Grady, Ward 19; William H. Brandli, Ward 20.

Eighty-two traverse jurors, Superior Criminal Court, to appear November 7, 1938:

Edgar M. A'Hearn, Ward 1; Carl S. Carlson, Ward 1; John A. Farren, Ward 1; Frederick W. Loigren, Ward 1; Peter Morrione, Ward 1; Peter J. Mulholland, Ward 1; James J. Reagan, Jr., Ward 1; Charles J. Rich, Ward 1; Bernard Harte, Ward 2; Thomas V. Jordan, Ward 2; Thomas McGuinness, Ward 2; Daniel McSweeney, Ward 2; George Isaac Fisher, Ward 3; Ray C. McElwee, Ward 3; James E. Shea, Jr., Ward 3; Henry J. Adami, Ward 4; Clarence E. Craig, Ward 4; George D. Hubbard, Jr., Ward 4; Ralph Ermon Noble, Ward 4; Ernest F. Brine, Ward 5; Frederick W. Burnham, Ward 5; John A. Cox, Ward 5; Henry T. Earle, Ward 5; Donald Warren, Ward 5; John J. McCarthy, Ward 6; John H. Powell, Ward 6; Thomas A. Sullivan, Ward 6; John Buzzai, Ward 7; Henry W. Kelly, Ward 7; Michael J. McColgan, Ward 7; James H. Moran, Ward 7; William L. Pryor, Ward 7; Dennis H. Shillue, Ward 7; Frank H. Simons, Jr., Ward 7; Harry P. White, Ward 7; Frank A. Brugger, Ward 8; Francis L. Connors, Ward 8; Charles A. Gordon, Ward 8; Michael E. Hartoy, Ward 8; George J. Maguire, Ward 8; Peter J. Bowman, Ward 9; Philip J. Jones, Ward 9; George Kenney, Ward 9; Thomas J. Kilduff, Ward 11; James L. Kingston, Jr., Ward 11; Daniel A. Gillis, Ward 12; John J. McCusker, Ward 12; John C. Parsons, Ward 12; James J. Sullivan, Ward 12; Charles E. Walden, Ward 12; John Cotter, Ward 13; Timothy J. Hanley, Ward 13; Edward F. McManus, Ward 13; Jacob Allen, Ward 14; Morris Blackman, Ward 14; Myer Levin, Ward 14; Burnett Rosnov, Ward 14; Abraham H. Shulman, Ward 14; Myron Shuster, Ward 14; Daniel W. Sullivan, Ward 14; Peter D. Cash, Ward 15; Frederick W. A. Gilcher, Ward 15; John J. Linehan, Ward 15; John L. Milliken, Ward 15; James J. Keegan, Ward 16; Richard C. Tobin, Ward 16; Dennis J. Carey, Ward 17; Maurice J. Kearns, Ward 17; Harold J. Drohan, Ward 18; Patrick Gallivan, Ward 18; Robert H. Hanson, Ward 18; Earnest Harry Holmes, Ward 18; Charles B. House, Ward 18; John W. Barnes, Ward 19; William E. Delancy, Ward 19; William B. Silver, Ward 19; Peter Christiansen, Ward 20; Harold E. Moulton, Ward 20; Mark S. Brown, Ward 21; Edward J. Callaghan, Ward 22; Thomas J. Conroy, Ward 22; William J. Shanley, Ward 22.

Eighty-four traverse jurors, Superior Civil Court, to appear November 7, 1938:

David E. Lane, Ward 1; Arthur F. McLean, Ward 1; Frank J. Doyle, Ward 2; Peter J. Fay, Ward 2; Daniel J. Sullivan, Ward 2; Michael Cummings, Ward 3; Joseph W. Gaska, Ward 3; William F. Kelley, Ward 3; Michael J. Norton, Ward 3; Charles C. Spagnolo, Ward 3; Thomas W. Headly, Ward 4; William M. Paul, Ward 4; John H. Hampstead, Ward 5; Benjamin Levy, Ward 5; Henry A. Taylor, Ward 5; John J. Taylor, Ward 5; William H. Hurley, Ward 6; Michael Molloy, Ward 6; Anthony Mullin, Ward 6; Nunzio Previti, Ward 6; John T. Saniuk, Ward 7; James R. Barber, Ward 8; George W. Flood, Ward 8; James Joseph, Ward 8; Nathan Block, Ward 9; Joseph J. Collins, Ward 9; James J. Mullen, Ward 9; Arthur W. Murtha, Ward 9; James A. Thompson, Ward 9; Patrick J. Walsh, Ward 9; Charles A. Anderson, Ward 11; Patrick J. Beatty, Ward 11; Ralph M. McNeill, Ward 11; Clarence Allen Rennick, Ward 11; John E. Alner, Ward 12; Arthur F. Coffey, Ward 12; James H. Kelly, Ward 12; Michael H. O'Toole, Ward 12; Andrew T. Cunningham, Ward 13; Bernard C. Gerwe, Ward 13; Colin F. MacDonald, Ward 13; Michael J. Durand, Jr., Ward 14; Louis Glazer, Ward 14; Wolcott J. Kelley, Ward 14; John J. Devlin, Ward 15; William J. O'Meara, Ward 15; Timothy Rice, Ward 15; Francis A. Vallei, Ward 15; Antonio Williams, Ward 15; George A. Daley, Ward 16; Edward L. Fitzgerald, Ward 16; Joseph J. Grant, Ward 16; Francis J. Lynch, Ward 16; Thomas Keane, Ward 17; James D. Murphy, Ward 17; Laurence F. Bedford, Ward 18; Richard J. Coullahan, Ward 18; James D. Coveney, Ward 18; James J. Gately, Ward 18; Walter F. Nicholson, Ward 18; Joseph P. Quinlan, Ward 18; George Thomson, Ward 18; Franklin A. Bannister, Ward 19; Edward Conley, Ward 19; Lyle W. Drew, Ward 19; Leo P. Glennon, Ward 19; Edward J. Kane, Ward 19; Andrew J. O'Connell, Ward 19; George W. Babb, Ward 20; James M. Brian, Ward 20; Walter E. Butler, Ward 20; George H. Curtin, Ward 20; Charles H. Hurst, Ward 20; Werner E. Klein, Ward 20; Lee S. Perkins, Ward 20; Joseph D. Bradley, Ward 21; George Edward Clare, Ward 21; Nathan Greene, Ward 21; George H. Ingraham, Ward 21; Everett T. Laurence, Ward 21; Lawrence A. Doyle, Ward 22; Matthew A. Hackett, Ward 22; Albert Taylor Nesmith, Ward 22; Melvin C. Skinner, Ward 22.

APPOINTMENT OF WEIGHER.

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

Weigher of Coal: Frederick W. Thielscher, 36 Walter street, Roslindale.

Laid over a week under the law.

TRAFFIC HAZARDS, WARD 20.

The following was received:

City of Boston,

Office of the Mayor, September 30, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the commissioner of the Boston Traffic Commission relative to your order of September 12, 1938, concerning the making of a survey with reference to traffic hazards at the intersection of LaGrange and Vermont streets, Ward 20, with a view to installing warning signs to replace the blinker which was recently removed from this location.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Traffic Commission, September 26, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated September 12, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to make a survey with reference to traffic hazards at the intersection of LaGrange and Vermont streets, Ward 20, with a view to installing warning signs to replace the blinker which was recently removed from this location."

This department is at present maintaining "slow" signs in the approaches to this intersection. The only additional safety device which could be used to advantage is a traffic signal, and there are no funds available at present for such an installation.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

ADDITIONAL LIBRARY FACILITIES, WEST ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, September 30, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the director of the Public Library of the City of Boston relative to your order of August 29, 1938, relative to the provision of additional branch library facilities for West Roxbury.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Library Department, September 27, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—To the trustees at their meeting on September 23, 1938, I presented the request received by you in the course of the summer from the Honorable Theodore F. Lyons concerning the possibility of additional library facilities for the Germantown section of West Roxbury. The trustees directed me to state on their behalf that, even though the necessary physical facilities might be made available as a W. P. A. project, they are nevertheless not possessed of additional funds for operating a unit beyond those already constituting the library system. I was further directed to ascertain the possibilities for meeting in part the library needs of this section by means of library service in the public schools through the efforts of our School Department. It is hoped that thereby it may be possible to make books more available for this section in question.

Yours very respectfully,
MILTON E. LORD, Director.

Placed on file.

SAFETY ISLANDS, BLUE HILL AVENUE.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Commissioner of Public Works relative to your order of September 12, 1938, concerning the installation of safety islands for the protection of pedestrians and elevated passengers on the narrow reservation space on Blue Hill avenue from Morton street to Stratton street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, September 23, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council, requesting that the Commissioner of Public Works narrow the reservation space on Blue Hill avenue, from Morton street to Stratton street, and install safety islands.

I regret to report that at the present time the Public Works Department would have no authority to proceed in the matter of carrying out this request.

The reservation was constructed under an act of the Legislature, and unless proper legislation is obtained for carrying out the request, there is nothing that this department could do in the matter.

Respectfully yours,
W. T. MORRISSEY,
Acting Commissioner of Public Works.

Placed on file.

TRAFFIC SIGNAL, BLUE HILL AVENUE, BRUNSWICK AND DEVON STREETS.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the commissioner of the Boston Traffic Commission relative to your order of September 12, 1938, concerning the erection of a traffic signal at the corner of Blue Hill avenue, Brunswick and Devon streets.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, September 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect traffic signals at the corner of Blue Hill avenue, Brunswick and Devon streets."

I regret to state that there are no funds available at the present time for the installation of automatic traffic signals at this intersection.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

TRAFFIC SIGNALS, ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the commissioner of the Boston Traffic Commission relative to your order of September 12, 1938, concerning the erection of traffic signals at the junction of Seaver street and Humboldt avenue, and at the junction of Warren street, at the corner of Cliff, Moreland and Regent streets.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, September 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated September 12, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to erect traffic signals at the junction of Seaver street and Humboldt avenue, and at the junction of Warren street, at the corner of Cliff, Moreland and Regent streets."

I regret to state that there are no funds available at the present time for the installation of automatic traffic signals at this intersection.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

FLAGPOLE, BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of September 12, 1938, concerning the restoring of the flagpole on Boston Common.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, September 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memorandum from your office, with inclosure, order from the City Council, relative to the flagpole on Boston Common being restored, using the income from the Parkman Fund or other available funds for this purpose.

I regret exceedingly to inform you there are no funds available for this purpose. Furthermore, the flagpoles on Boston Common come under the jurisdiction of the City Messenger's department.

The income from the Parkman Fund is being used for maintenance in this department.

Very respectfully yours,
W. P. LONG, Chairman.

Placed on file.

CLOSING OF DUMPS IN RESIDENTIAL SECTIONS.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your order of September 12, 1938, concerning the closing of all active dumps located in residential sections.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, September 22, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—We have your communication of September 19, 1938, transmitting to this department City Council order of September 12, 1938, relative to the matter of closing all active dumps located in residential sections.

This department would be glad to consider the matter of closing all active dumps located in residential districts, were it not for the fact that, at present, the only method of disposing of the dry wastes produced by householders and business establishments is by filling in of low areas.

It is our understanding from the Public Works Department that approximately 1,500,000 cubic yards of such material was collected and disposed of in 1937, so it will be seen that the handling and disposition of such an enormous amount of waste presents a problem which is apt to be overlooked by the average citizen.

Of course, "residential district" is a relative term and it is realized that any dump in Boston might come within this description. In passing on the issuance of licenses for dumps, we endeavor to have them located as far away from dwellings as possible. Many applications for otherwise suitable locations are refused on this account.

Until some other method is adopted, the most we can do is to see that the dumps are maintained in as sanitary a manner as possible, and to that end they are kept under close observation by the inspectors of the Housing and Sanitation Division of this department.

It should not be lost sight of that these dumps serve several other purposes, especially in the filling in of areas containing stagnant water creating offensive odors and providing breeding places for mosquitoes and other insects, and making usable and taxable land.

Suffolk Downs in East Boston, Simmons College and Emmanuel College in Roxbury, and many other private and public buildings are built on land that was filled in as public dumps. All these locations received the same criticism as the present dumps.

Respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

WINTER SPORTS CENTER, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, September 27, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of September 12, 1938, concerning the advisability of making a winter sports center in the George W. Wright Golf Course, Hyde Park, with W. P. A. labor.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, September 21, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memorandum from your office, with inclosure, order from the City Council, relative to a winter sports center being constructed on the George Wright Golf Course, with W. P. A. labor.

It is the intention of the department to provide ski jumps, tobogganning and skating. A project to that effect has been made up for some little time. The suggestion was made by his Honor the Mayor at the opening of the golf course that it would be an ideal place for winter sports. The councilor from the district has also mentioned that fact.

Please be assured the department will try to comply with the request of the councilor.

Very respectfully yours,
W. P. LONG, Chairman.

Placed on file.

NEW FLAGPOLE, CITY SQUARE, WARD 2.

The following was received:—

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of September 12, 1938, concerning the installation of a new flagpole at City square, Ward 2.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, September 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memorandum from your office, with inclosure, order from the City Council, relative to installing a new flagpole at City square, Ward 2.

I regret exceedingly to inform you there are no funds available for this purpose. Furthermore, the flagpole at City square comes under the jurisdiction of the City Messenger's department.

Very respectfully yours,
W. P. LONG, Chairman.

Placed on file.

P. W. A. PROJECTS ALLOCATED TO BOSTON.

The following was received:

City of Boston,
Office of the Mayor, September 27, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the City Auditor relative to your order of August 15, 1938, concerning the amounts of Federal money for P. W. A. projects actually allocated to the City of Boston and the amounts actually expended in the City of Boston annually to date.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, September 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I respectfully submit the information requested by the City Council under the following order passed August 15, 1938.

"Ordered, That his Honor the Mayor, after inquiring of department officials, advise the Council as to the amounts of Federal money for P. W. A. projects actually allocated to the City of Boston and the amounts actually expended in the City of Boston annually to date.

In City Council August 15, 1938. Passed.

Attest:

W. J. Doyle,
City Clerk."

Respectfully,
CHARLES J. FOX,
City Auditor.

PUBLIC WORKS ADMINISTRATION ACCOUNTS AS OF AUGUST 31, 1938.

RECEIPTS.

| | 1934. | 1935. | 1936. | 1937. | 1938. | Totals. |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|
| Bond Issues..... | \$2,850,000 00 | \$2,025,000 00 | \$2,610,000 00 | \$1,285,000 00 | \$894,000 00 | \$9,664,000 00 |
| Bond Issues Anticipation Federal Grants..... | | | 900,000 00 | 183,500 00 | 105,000 00 | 1,188,500 00 |
| Federal Grants..... | | 679,504 78 | 1,117,588 91 | 2,430,963 63 | 656,503 86 | 4,884,561 18 |
| State Grants on account Courthouse..... | | | 31,547 79 | 126,974 78 | 408,476 49 | 566,999 06 |
| Miscellaneous Revenues..... | | 819 67 | 15,769 30 | 1,860 28 | 18,439 41 | 36,888 66 |
| Total..... | \$2,850,000 00 | \$2,705,324 45 | \$4,674,906 00 | \$4,028,298 69 | \$2,082,419 76 | \$10,340,948 90 |

PAYMENTS.

| | 1934. | 1935. | 1936. | 1937. | 1938. | Totals. |
|--|--------------|----------------|----------------|----------------|----------------|-----------------|
| Construction, etc..... | \$978,089 31 | \$3,438,876 60 | \$4,318,352 42 | \$2,943,355 80 | \$2,179,438 96 | \$13,858,113 09 |
| Repayment Bond Issues Anticipation Federal Grants..... | | | | 900,000 00 | 288,500 00 | 1,188,500 00 |
| Interest..... | | 71,916 67 | 53,106 25 | 24,669 90 | ..... | 149,692 82 |
| Debt..... | | | 158,000 00 | 138,762 48 | 116,256 61 | 413,019 09 |
| Total..... | \$978,089 31 | \$3,510,793 27 | \$4,529,458 67 | \$4,006,788 18 | \$2,584,195 57 | \$15,609,325 00 |

Placed on file.

INSTALLATION OF SIDEWALKS, WARD 19.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of May 2, 1938, concerning the installation of sidewalks on Washington street, the main thoroughfare of Ward 19, from Archdale road to Roslindale square, under the plan of W. P. A. construction, said sidewalks to be constructed of cement preferably or tar.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, September 12, 1938.
William T. Doyle,

Chief Clerk, Mayor's Office.
Dear Mr. Doyle,—I have received the following order that was passed in the City Council on May 2, 1938:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on Washington street, the main thoroughfare of Ward 19, from Archdale road to Roslindale square, under the plan of W. P. A. construction, said sidewalks to be constructed of cement preferably or tar."

The Sewer Division has been working in this location up to the first of September, thereby preventing us from carrying out this order.

We shall, however, start the construction of these sidewalks within ten days.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

SAFETY ISLAND, WARD 3.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of August 29, 1938, concerning the construction of a safety island at the junction of Kneeland and Hudson streets in Ward 3.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, September 12, 1938.
William T. Doyle,

Chief Clerk, Mayor's Office.
Dear Mr. Doyle,—I have received the following order that was passed in the City Council on August 29, 1938:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct a safety island at the junction of Kneeland and Hudson streets, in Ward 3."

In my opinion the construction of a safety island at this intersection would hinder the flow of traffic and would only add to the congestion now existing at this intersection.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

EXTENSION OF FIVE-CENT FARE,
HUNTINGTON AVENUE.

The following was received:

City of Boston,
Office of the Mayor, September 26, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway, relative to your order of September 12, 1938, concerning the extension of the five-cent fare zone on the Huntington avenue line from its present limit at Brigham circle to the cross-over on South Huntington avenue.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
September 21, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The trustees considered on September 21 the resolve with regard to five-cent fare on Huntington avenue.

The five-cent fare on the intown section of this line has recently been extended and under existing conditions they cannot justify increasing the Elevated deficit by adding further five-cent privileges.

One of the difficulties at the present time with regard to the Elevated deficit is that the number of five-cent fares, which represented but 20 per cent of the travel in 1931, now represents 27 per cent of the travel. The result of this increase in five-cent and decrease in 10-cent fares means that the average fare paid has been decreasing since 1931, but the deficit paid by the cities and towns has been increasing.

If only 20 per cent of the total passengers in 1937 rode for five cents instead of the 27 per cent that did ride for five cents, the deficit would have been \$1,000,000 less.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

W. P. A. PROJECT FOR REHABILITATION
OF STORM DAMAGE.

The following was received:

City of Boston,
Office of the Mayor, September 30, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the administrative assistant of the Works Progress Administration relative to your order of September 26, 1938, concerning the rehabilitation following the recent storm and the request to sponsor a W. P. A. project which shall provide for the clearing away of debris and the removal of fallen or unsafe trees and other wreckage resulting from the storm of last week.

Respectfully,
MAURICE J. TOBIN, Mayor.

Works Progress Administration,
September 29, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—I return herewith order of City Council dated September 26, as follows:

"Ordered, That his Honor the Mayor, incident to rehabilitation following the recent storm, be requested to sponsor a W. P. A. project which shall provide for the clearing away of debris, and the removal of fallen or unsafe trees and other wreckage resulting from the storm of last week."

In accordance with telephone instructions from his Honor the Mayor, a W. P. A. project was prepared and approved by the State Administrator, authorizing the expenditure of necessary funds to meet the emergency.

Projects have been prepared by direction of the Mayor and submitted to the W. P. A. authorities, within the limitations authorized by the President, to rehabilitate all public property affected by the storm.

Very truly yours,
T. F. SULLIVAN,
Administrative Assistant.

Placed on file.

LICENSE TO BOSTON UNIVERSITY TO
BUILD OVER SEWER

The following was received:

City of Boston,
Office of the Mayor, October 3, 1938.
To the City Council.

Gentlemen,—I submit herewith an order for the granting of a license to the trustees of Boston University to build a structure over a certain sewer located in the rear of Bay State road.

The granting of such a license meets with the approval of the Public Works, and I recommend passage of the order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 1, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor.—The Turner Construction Company has applied to this department for permission to make changes in an 18-inch pipe sewer that is in private land between Commonwealth avenue and Bay State road, west of Granby street. This sewer is under the jurisdiction of the City of Boston and the changes are necessitated due to the erection of a building for Boston University.

I have referred this matter to the Corporation Counsel and he has advised me that the inclosed order, prepared by him, should be introduced in the City Council, allowing the City of Boston to grant the petition of the Turner Company.

I respectfully recommend that the order be introduced in the City Council.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Whereas by a written instrument dated April 17, 1900, the River Bank Improvement Company granted to the City of Boston all its right, title and interest in and to a certain sewer located in a passageway in the rear of Bay State road in Boston, running from Ashby street to and across Granby street; and

Whereas The Trustees of Boston University, a corporation organized under the laws of the Commonwealth of Massachusetts, is the owner of the premises adjacent to a portion of said sewer and has requested the right to place a building over said sewer in accordance with plans submitted to and approved by the Commissioner of Public Works of the City of Boston; and

Whereas the placing of the said building over the said sewer in accordance with said plans would not interfere with the use of said sewer for public purposes.

Now, Therefore, it is hereby Ordered, That his Honor the Mayor be and he hereby is authorized, in consideration of one dollar paid to the City of Boston by the said The Trustees of Boston University, to execute and deliver to the said The Trustees of Boston University in the name and behalf of the City of Boston, a license, in form satisfactory to the Law Department of the City of Boston, wherein The Trustees of Boston University is authorized to place a building over a portion of said sewer in accordance with the plans approved as to position and construction of said building by the said Commissioner of Public Works, and wherein the said City of Boston reserves the right to go upon the said premises at all times for the purpose of maintaining, repairing and reconstructing said sewer or any other municipal structure thereon.

Referred to Executive Committee.

TRANSFER OF \$15,000 TO SANATORIUM DIVISION.

The following was received:
City of Boston,
Office of the Mayor, October 3, 1938.
To the City Council.

Gentlemen,—I am advised by the superintendent of the Boston City Hospital that the appropriation in the 1938 budget for W. P. A. projects in the Sanatorium Division of the Hospital Department is exhausted and in order to carry on the projects now in operation additional funds will be needed. Due to the termination of existing projects and delay in approval of new projects there is a surplus of funds in the appropriation of the Library Department for W. P. A. projects. I am, therefore, forwarding herewith an order providing for the transfer of \$15,000 from the "H" Relief Projects item in the Library Department budget to the "H" Relief Projects item in the Sanatorium Division budget and recommend its adoption by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, 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 Library Department, H. Relief Projects, \$15,000, to the appropriation for Hospital Department, Sanatorium Division, H. Relief Projects, \$15,000.
Referred to Executive Committee.

APPROPRIATION OF \$7,000 FOR MUNICIPAL EMPLOYMENT BUREAU.

The following was received:

City of Boston,
Office of the Mayor, October 3, 1938.
To the City Council.

Gentlemen,—I am advised by Stephen J. Hughes, Director of Employment of the Free Employment Bureau of the City of Boston, that an appropriation of \$7,000 is necessary to carry on the activities of that Bureau. I believe that the Bureau is doing a worth-while work, and in order that it may continue that work, I submit herewith an order providing for the appropriation of \$7,000, same to be charged to the Contingent Fund.

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

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Free Employment Bureau,
September 14, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—May I respectfully request that you submit to the City Council an order for an appropriation of \$7,000 to continue the activities of the Municipal Employment Bureau for the remainder of the year.

We have on hand only sufficient funds to cover the next four weeks.

Respectfully yours,
STEPHEN J. HUGHES,
Director of Employment.

Ordered, That the sum of \$7,000 be, and hereby is, appropriated for the activities of the Municipal Employment Bureau, said amount to be expended under the direction of his Honor the Mayor, and charged to the Contingent Fund.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 3, 1938.
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,
MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Health Department:

From the appropriation for B, Contractual Services, \$150, to the appropriation for E, Materials, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Institutions Department, Long Island Hospital:

From the appropriation for B, Contractual Services, \$3,800, to the appropriation for D, Supplies, \$3,800; F, Special Items, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Park Department, Cemetery Division:

From the appropriation for B, Contractual Services, \$500, to the appropriation for C, Equipment, \$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, Central Office:

From the appropriation for B, Contractual Services, \$7, to the appropriation for C, Equipment, \$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 Registry of Deeds:

From the appropriation for B, Contractual Services, \$600, to the appropriation for D, Supplies, \$600.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Medical Examiner Service, Southern Division:

From the appropriation for D, Supplies, \$71.04, to the appropriation for C, Equipment, \$71.04.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Printing Department:

From the appropriation for D, Supplies, \$89.66, to the appropriation for B, Contractual Services, \$30; F, Special Items, \$59.66.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

W. H. Ballard Company, for compensation for damage to property at 39 Sudbury street, caused by horse-drawn vehicle.

Charles S. Berry, for compensation for damage to car caused by an alleged defect at 152 Beacon street.

Charles Bonanno Laundry & Supply Company, for compensation for damage to car by city cart.

Catherine F. Byrne, for compensation for damage to property at 8 Allston street, Charlestown, caused by steam roller.

Gertrude E. Callahan, for compensation for injuries caused by an alleged defect at 150 Canal street.

Carinda Gallucci, for compensation for damage to property caused by an alleged defect in Walworth street, Roslindale.

Harold Gayton, for compensation for damage to car by city wagon.

Sumner Gochberg, for compensation for damage to bicycle by city truck.

Arthur J. O'Leary, for compensation for damage to property at 21 Pine street, caused by city employees.

Maybell T. Polk, for compensation for damage to car caused by an alleged defect at Iona street, West Roxbury.

Mary Quinn, for compensation for injuries caused by an alleged defect in Dearborn School.

Ernest Sands, for compensation for damage to car caused by an alleged defect at 580 Chelsea street, East Boston.

The Great Atlantic & Pacific Tea Company, for compensation for damage to property at 138 Cambridge street, caused by bursting of sewer pipe.

Committee on Jitney Licenses.

Petition of individuals and concerns engaged in business on Haymarket square and vicinity asking favorable action upon petition of Eastern Massachusetts Street Railway for license to operate motor coach line between Boston-Milton boundary line and Haymarket square.

APPOINTMENT OF KEEPER OF CITY LOCK-UP.

Notice was received from the Police Commissioner of appointment of Lieutenant George H. Bird of the Police Department as keeper of City Lock-up for term of one year, beginning August 31, 1938.

Placed on file.

APPROVAL OF HUNTINGTON AVENUE SUBWAY AND UNDERPASS LOAN.

Notice was received from the Emergency Finance Board of passage of vote September 27, approving projects of construction of an underpass and alterations to Huntington Avenue Subway, borrowing by the City of Boston of a sum not to exceed two million dollars, term of loan set at forty-six years, and rate of interest not to exceed 3½ per cent.

Placed on file.

DANGER FROM FALLEN WIRES.

The following was received:

City of Boston,
School Committee, September 30, 1938.
Mr. Wilfred J. Doyle,
City Clerk.

My dear Mr. Doyle,—I am in receipt of your communication of September 29, 1938, transmitting the order passed by the City Council, September 26, 1938, requesting the School Committee, through his Honor the Mayor, to instruct the teachers to impress upon the school children the danger that might result from playing with and around fallen electric and telephone wires.

On the date of the passage of the Council order, the Superintendent sent to principals of schools and districts a warning to the same effect. A copy of the Superintendent's circular is attached.

Very truly yours,

ELLEN M. CRONIN, Secretary.

Superintendent's Circular No. 32, 1938-39.

Boston Public Schools,
Superintendent's Office,
September 26, 1938.

Warnings to Pupils.

To Principals of Schools and Districts.

Principals are asked to have teachers warn children to keep away from fallen or broken wires that may be lying on the ground as the result of the recent hurricane. It should be impressed upon the children that these wires may be alive and should not be touched.

Children should also be cautioned to keep away from damaged trees or poles. Already there are many children with broken bones as a result of climbing injured trees and damaged poles.

In sections where there are many fallen trees, there is serious risk of fire. Children should be cautioned to be most careful in such sections.

Where teachers know that electric light facilities are not available, home work should be limited.

Very truly yours,

ARTHUR L. GOULD,
Superintendent of Public Schools.

Placed on file.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Elmer R. Crawford (referred August 29) 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 the accompanying order, viz.:

Ordered, That the sum of eight hundred dollars (\$800) be allowed and paid to Elmer R. Crawford 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 Contingent Fund.

Report accepted; said order passed.

2. Report on petition of Augustine F. Crehan (referred June 28) to be reimbursed for amount of

execution issued against him on account of his acts as operator of motorcycle belonging to the Police Department, recommending passage of the accompanying order, viz.:

Ordered, That the sum of eleven hundred dollars (\$1,100) be allowed and paid to Augustine F. Crehan in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

3. Report on petition of Frederick P. Craven (referred August 8) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to the Paving Division, Public Works Department, recommending passage of the accompanying order, viz.:

Ordered, That the sum of two hundred and thirty-five dollars (\$235) be allowed and paid to Frederick P. Craven in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

SOLDIERS' RELIEF.

Coun. IRWIN, 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.

SIDEWALKS AND CATCH-BASINS, MOSELEY STREET, WARD 13.

Coun. HUTCHINSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install asphalt sidewalks on Moseley street, Ward 13, under the W. P. A. plan of construction.

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install additional catch-basins on Moseley street, Ward 13,
Severely passed under suspension of the rule.

RESURFACING OF EDSON STREET, WARD 17.

Coun. WILSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Edson street, Ward 17, under the W. P. A. plan of construction.

Passed under suspension of the rule.

REMOVAL OF ATLANTIC AVENUE ELE- VATED STRUCTURE.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to confer with the trustees of the Boston Elevated Railway Company and take all steps possible to effect early demolition and removal of the Atlantic avenue elevated structure.

Coun. WILSON—Mr. President, over a substantial period of time there has been advocated the demolition of the elevated structure in various parts of the city, but most essentially, perhaps, as a practical matter, the Atlantic avenue elevated structure, and the matter reached such a stage a year or so ago that conferences were held, but the officials of the Elevated road endeavored to point out that the demolition of the Atlantic avenue structure would interfere with their bond structure. I read in yesterday's paper that apparently the service is now being discontinued after thirty-seven years of use on the Atlantic avenue line. If that is so, I personally would see no rhyme or reason to any further refusal of the Elevated road to the immediate demolition of the structure. In the first place, the figures that we had available a year ago were to the effect that the salvage of the metal from the elevated structure would more

than pay the cost of demolition; and in the second place, I can't really conceive of any valid claim being made by the Elevated authorities that the continued standing of a discarded old elevated structure, which is no longer in use, is of any financial help to any bond issue that was ever made. It seems to me that if the Mayor of Boston takes active and strong and affirmative steps, there is absolutely no reason in fairness to the public why the Atlantic avenue elevated structure, the line now having been discontinued, should not be at once demolished.

The order was passed under suspension of the rule.

CONFERENCE WITH ADMINISTRATOR HOPKINS RE REHABILITATION.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested again to confer with National W. P. A. Administrator Harry L. Hopkins incident to Boston's program of rehabilitation following the recent severe storm, to the end that distressed real estate owners may be afforded some reasonable measure of assistance and cooperation, where needed, to clear away damaged trees and other wreckage.

Coun. WILSON—Mr. President, that follows somewhat an order passed by the Council in meeting of September 26, which did not specify necessarily on private property, but I gathered from the response to that order, under date of September 29, received from Colonel Sullivan, that the projects have been prepared and submitted to the W. P. A. authorities within the limits authorized by the President to rehabilitate the public property affected by the storm. Now, I have never endeavored to pass as a radical or along socialistic lines, but I personally believe that the time has come, following a catastrophe such as the one of this past month, when the real estate owner of the City of Boston should be given some reasonable degree of recognition. We have seen the necessity, naturally, of having unemployed laborers put to work under W. P. A. auspices. The forgotten man, however, appears to be the owner of real estate, the taxes on whose property have provided the funds for these various projects and the various assistance being given to the poor and the destitute of Boston. Then there comes a time, as there did last month, when the poor owner of real estate, not only in the City of Boston but throughout the Commonwealth, is not only hit between the eyes with an exorbitant real estate tax but, through an act of God, he is put in a poor financial condition,—many of them with their taxes for last year not paid, many of them with vacant apartments, and through no act of their own, and without insurance of any kind, most of them, against a catastrophe that we would not have expected in Massachusetts, they find themselves with the roofs of their houses torn off and garages demolished, and most especially the trees uprooted, with an expense that the average small property owner in this state can't stand and survive. I noted also in yesterday's paper that the Governor of Rhode Island thought it was sufficiently important to contemplate a trip today to Washington, the Governor of Rhode Island apparently being under the impression that Mr. Hopkins when in Boston had definitely stated that W. P. A. help could be utilized in cleaning up rubbish and fallen trees even on private property. Now I again urge, not as a socialistic proposition, but in fairness to that group in the community which has been paying the welfare budgets all these years, that it should not be beyond the bounds of reason that the army of W. P. A. workers that is now working on the streets of the city, after they have completed the taking away of the trees and debris from public property,—there is no reason in my opinion why their services should not be utilized to assist these property owners around Boston, and I again urge that the Mayor give the matter further consideration. If there is any question about the legality of it, I would urge that he follow the example of the Governor of Rhode Island and endeavor to have Mr. Hopkins affirmatively and definitely authorize the use of W. P. A. labor for that purpose.

Coun. ROSENBERG—Mr. President, I am happy to join with my colleague from Ward 17 in connection with this order. A great many of the property owners in my district have called on me in connection with this matter, and I believe

the same condition exists in every section of Boston where trees have been uprooted and are in a dangerous condition, where the owners of property are unable to pay the expense of removal. I know in one instance a company was called up and they quoted a charge of \$300 for the removal of two trees. The people have not even paid their 1936 taxes and are in a helpless position. The trees are liable to crash against other buildings. In view of the conditions existing, I believe that if a program such as this is adopted it will be helpful to the community as a whole.

Coun. TAYLOR—Mr. President, I would like to supplement what has been said by a few remarks. I was asked for help by a charitable institution. This institution uses private funds for the welfare of the children in that community where they take care of their physical health by giving them a gymnasium and also a playground. In that particular playground a good many trees have fallen down and it is very hazardous for the children to play there. Now, as a charitable institution they have no funds, but they take from the streets a good many children who would otherwise be either on the city playgrounds or on the street. I requested Commissioner Long of the Park Department to have these trees removed. Some assistance should be given, particularly in a case of this type. But I was informed that the City of Boston could not step upon private grounds to do so, even in a worthy case of this type. I think the city is drawing the line a little bit too fine, for institutions like that are an asset to the city, and they help the city in a great many ways, and I think the city should reciprocate by helping them at this particular time.

The order was passed under suspension of the rule.

MONEY COLLECTIONS FROM FARMERS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to at once investigate reported conditions in Dock square, South Market street, and adjacent locations, relating to any money collections being made from farmers.

Coun. WILSON—Mr. President, in a matter of this particular nature I naturally wish to be very careful concerning the order, but there has come to my attention from sources which would certainly seem most reliable a persistent report to the effect that collections are being made from the speculators, so called, and the farmers in the market district of Boston, covering Dock square, South Market street, and other areas directly surrounding this market section. I understand that some time ago the collection averaged twenty-five cents per day from the farmers and from the speculators, and that there was some difficulty at that time, as a result of which the hour of collection of this money was changed from around seven o'clock in the morning to between four and five o'clock in the morning and that the fee or amount collected was reduced from twenty-five cents a head to ten cents a head. I have been one of those who at times have doubted the propriety of spending millions of dollars for a new Sumner Tunnel, with the thousands of dollars spent for the approaches, and then having the same expensive approaches for the traffic artery to a great degree blocked, especially on week-ends, by parked wagons and teams. But if this is to be allowed, and if there is to be parking by farmers and speculators throughout the market district, and if there is to be any collection for the privilege, then I would assume that the collection should be with the full authority of the city and that the proceeds should go into the city treasury. I therefore urge that the Mayor take important steps to run down this report, which is certainly warranted to an extent where I have been personally handed so far no less than eighteen names, five of them of concerns which I understand have been in business in this district for some fifty years, and an additional list of nine other names, and I am informed that almost unanimously the so-called farmers and so-called speculators in the market district of Boston will be prepared to testify, if necessary under oath, that they have been paying money, presumably for the privilege of using the market area. If that report is correct, to be supplemented by names other than those I now have in front of me, then the sooner the practice is stamped out the better for all concerned.

The order was passed under suspension of the rule.

ATLANTIC AVENUE ELEVATED STRUCTURE.

Coun. NORTON offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of having an immediate study made relative to either having the Atlantic avenue elevated structure used as a highway or tearing it down.

Coun. NORTON—Mr. President, the difference between this order and that of the councillor from Ward 17 is that I am asking that a study be immediately made as to whether the elevated structure on Atlantic avenue should be turned into an elevated highway or torn down. One or the other should be done now that the Elevated road has abolished its use. New York City has along its waterfront an elevated highway structure similar to this, running along beside all the docks and the boats, so that you can almost put out your hand from the highway and touch the boats.

The order was passed under suspension of the rule.

THANKS FOR ASSISTANCE OF W. P. A. WORKERS.

Coun. NORTON offered the following:

Ordered, That the Boston City Council expresses its heartfelt thanks, in the name of the citizens of Boston, to the national administration for the manner in which over 6,000 W. P. A. workers were immediately shifted from their regular assignments and put to work clearing off and opening up the highways of Boston after the recent hurricane.

Coun. NORTON—Mr. President, I understand that over six thousand men who were working on W. P. A. projects in Boston were immediately transferred from those work projects and put to work clearing our highways after the recent disaster. A week ago today, on Monday, the head of the W. P. A. in Washington was here personally to see what could be done, in so far as the national government was concerned, to assist us. I think that was a splendid action, and I think we owe a debt of gratitude to the President of the United States and to his assistants.

The order was passed under suspension of the rule.

DUMPS IN RESIDENTIAL DISTRICTS.

Coun. NORTON offered the following:

Ordered, That the Health Commissioner, through his Honor the Mayor, be requested to consider the advisability of closing all open dumps located in residential districts in Boston.

Coun. NORTON—Mr. President, I ask unanimous consent to include with this order the letter that the Health Commissioner, Dr. H. F. R. Watts, sent me relative to my request for the closing of two large dumps in Roslindale. I wish some of these officials had to live opposite a big dump. It is an archaic idea, an old fashioned idea, that we have to stand such things. We are living in the present, not thirty years ago. I am asking that it be put in the record here.

There being no objection, the following are included in the record:

City of Boston,
Health Department, July 27, 1938.
Clement A. Norton, Esq.,
City Councilor.

Dear Sir,—Referring to the petition of Miss Ada Neilson, 93 Paine street, Roslindale, and others, regarding the dump at Canterbury and Lawn streets, Roslindale.

Conditions on sections of this dump were undeniably bad and we have taken steps to have them remedied. The difficulty of providing clean fill to cover in the light materials was the principal cause of the trouble, as is the case with practically all of the inland dumps. Owing to the increased use of oil as a fuel, the coal ashes formerly used to cover in the light material is not available.

The only method of disposing of the enormous quantities of refuse collected in Boston is by dumping it on low and wet areas and such locations are becoming less available each year. Until some other system is adopted, complaints will continue to be made by residents in the vicinity of these dumps.

It should be noted that, in the majority of cases the filling in of these areas eliminates stagnant

water conditions that are favorable to the breeding of mosquitoes and other insects. When the dump is finished, the land is an improvement rather than a detriment to the neighborhood.

We do not want to close this dump as we feel that it is needed for the disposal of the refuse collected. Before taking such action, we will endeavor to have it maintained in a proper and sanitary condition.

The supervisor and inspector have been instructed to make daily visits to this dump and to see that it is kept in order.

Very truly yours,
H. F. R. WATTS, M. D.,
Health Commissioner.

Councilor Clement A. Norton sent the following communication to Health Commissioner H. F. R. Watts:

"The two big dumps located on American Legion Highway and off Beech street, Rosindale, are a terrible health menace and general nuisance. Both are located in highly residential districts. Odors, rats and flies predominate, and in the hot weather, conditions for a mile around them are unbearable. You claim that it is possible to keep an active dump in a sanitary condition. I must respectfully disagree. Come out some warm day, stop your auto anywhere near these dumps, and note the odor and flies. Boston should immediately close these dumps, a menace to health, and find some other way of eliminating refuse. I shall introduce an order at the next meeting of the City Council demanding such action."

The order was passed under suspension of the rule.

BOSTON MUNICIPAL RESEARCH BUREAU REPORT.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston be requested to consider the advisability of having a study made of the Boston Municipal Research Bureau's report entitled "Transit Department Merger," dated September 21, 1938, and the recommendations contained therein.

Coun. NORTON—Mr. President, if this idea of the Boston Municipal Research Bureau will save the city money I think it should be given consideration. This brings back to my mind some remarks made here a few months ago relative to the protest of the real estate taxpayers of Boston. If we can help them we want to, providing it can be done without firing any employees. I would like consent to include this report in the record.

There being unanimous consent, the following was submitted for the record:

[Taken from the Bulletin of the Boston Municipal Research Bureau, under date of September 21, 1938.]

About a half-century ago Boston started its \$59,000,000 investment in the city-owned subway system for mass transportation. At enormous cost the economic handicap of a tortuous downtown street pattern was overcome. The subway network in the central area is now virtually complete.

Automobiles have broken the transit monopoly. Recent declines in the number of Elevated riders have produced large and burdensome deficits. To adjust for changed conditions, this Bulletin proposes merging the Boston Transit Department with the Public Works Department.

TRANSIT DEPARTMENT MERGER.

Street cars in Boston had scarcely been electrified before spirited inquiry began on the subject of rapid transit. As a result Boston started construction of the Tremont Street subway in 1895. This line was built by the Transit Commission, a state-city agency with powers closely defined by the Legislature.

A series of statutes also authorized the Commission to construct the East Boston tunnel and extension, Washington Street tunnel, Cambridge connection (under Beacon Hill), Boylston Street subway, and Dorchester tunnel.

When the Transit Commission lapsed in 1918, its powers were transferred to the City of Boston to be "performed by the mayor, commissioner of public works, and city treasurer, or by such person or persons, not exceeding three, as may be appointed by the mayor. . . ." Thereupon the Transit Department, under a board of three commissioners, was created by city ordinance.

Authority.—The Department fell heir to the old Commission's authority. It was empowered to select employees, determine their duties and compensation, and remove them. With respect to construction projects, the Department may take land and award damages, let contracts, transfer and sell city property, execute leases for Boston's transit facilities, and order loans.

Personnel.—Department personnel varies widely, depending on whether work is done by contract or departmental employees. There is a corps of permanent employees under three commissioners, the chief engineer, and the secretary. Employees since 1919 are tabulated below by major groups.

TRANSIT DEPARTMENT PERSONNEL IN ALTERNATE YEARS SINCE 1919, AND IN 1938.

| YEAR. | Executive. | Technical. | Clerical. | Labor. | Total. |
|-----------|------------|------------|-----------|--------|--------|
| 1919..... | 5 | 15 | 12 | 51 | 83 |
| 1921..... | 5 | 14 | 7 | 51 | 77 |
| 1923..... | 5 | 21 | 12 | 714 | 752 |
| 1925..... | 5 | 44 | 11 | 70 | 130 |
| 1927..... | 5 | 64 | 10 | 82 | 161 |
| 1929..... | 5 | 52 | 8 | 58 | 123 |
| 1931..... | 5 | 104 | 10 | 1,143 | 1,262 |
| 1933..... | 5 | 71 | 11 | 96 | 183 |
| 1935..... | 4 | 16 | 7 | 39 | 66 |
| 1937..... | 5 | 15 | 7 | 27 | 54 |
| 1938..... | 5 | 25 | 6 | 28 | 64 |

Department personnel was at a peak in 1923, during large-scale alterations to the East Boston tunnel by city employees; and again in 1931, when the Governor Square extension was built with city labor.

Finance.—Transit Department overhead, including salaries and rent, is allocated among the different projects each year. In 1937, when personnel was at a low ebb because of reduced activity, the Transit Department payroll was about \$120,000.

Departmental activities are entirely financed by bond issues outside the debt limit. There is no current budget for scrutiny by the Mayor, the Council, or the public. Expenditures depend upon specific or blanket authorization by the General Court. The following table lists bonds issued since 1918 for rapid transit, acquisition of the Hyde Park Street railway, and those traffic improvements built by the Department.

TRANSIT AND TRAFFIC LOANS, 1918-37.

| Year. | Amount. |
|-----------|-----------|
| 1918..... | \$688,000 |
| 1919..... | 452,000 |
| 1920..... | 655,000 |
| 1921..... | 570,000 |
| 1922..... | 1,662,000 |
| 1923..... | 2,035,000 |
| 1924..... | 1,176,000 |
| 1925..... | 1,490,000 |
| 1926..... | 3,150,000 |
| 1927..... | 3,575,000 |
| 1928..... | 2,207,000 |
| 1929..... | 1,002,000 |
| 1930..... | 4,990,000 |
| 1931..... | 6,060,000 |
| 1932..... | 7,410,000 |
| 1933..... | 4,270,000 |
| 1934..... | 1,300,000 |
| 1935..... | 905,000 |
| 1936..... | 440,000 |
| 1937..... | 815,000 |

The Transit Commissioners merely request the City Treasurer to issue loans without approval by the Mayor or Council.

Thirteen of the transit loan acts still in effect do not limit amounts of bonds or date of issuance. Last year Boston borrowed \$65,000 under 1911 and 1924 statutes.

Activities.—Transit Department functions comprise: (1) large projects, (2) subway alterations, and (3) investigations.

(1) Large Projects.—Major projects of the Department have been as follows:

LARGE TRANSIT DEPARTMENT PROJECTS, 1919-38.

| | Approx. Cost. | Date. |
|-----------------------------|---------------|---------|
| Arlington St. Station..... | \$1,225,000 | 1919-21 |
| East Bos. Tun. Alter..... | 3,800,000 | 1921-24 |
| Dorchester Extension..... | 11,750,000 | 1923-31 |
| Governor Sq. Extension..... | 5,000,000 | 1930-32 |
| Summer Traffic Tunnel..... | 19,500,000 | 1930-34 |
| Commonw. Underpass (WPA). | 560,000 | 1937 |
| Huntington Ave. Sub. (WPA). | 5,750,000 | 1937- |
| Mass. Ave. Underpass (WPA). | 830,000 | 1938- |

At practically no time has the present Department been without a substantial construction project. In recent years traffic projects have come to play a major part in the work of the Transit Department.

(2) Subway Alterations.—The Department also makes additions and alterations to existing facilities, for which the statutes furnish blanket authorizations. The Elevated Company has similar power.

Alterations are very numerous and range from a simple canopy over a station platform to extensive WPA changes in the Park Street Station in 1936. Authority for the latter was found in a 1924 amendment of the original subway act of 1894.

(3) Investigations.—Formerly the Transit Department was directed by the Legislature to conduct studies, customarily with a view to rapid transit extensions. Such studies have now been largely taken over by the Division of Metropolitan Planning, on which the Transit Department is represented.

The Transit Department also acts as custodian of Boston's subway properties. The Elevated Company must, however, maintain the properties in good condition.

DEPARTMENT FACES REDUCED ACTIVITY.

Over about a half century Boston's transit agencies have completed some \$75,000,000 of subway and traffic tunnel work. Starting as pioneers, they developed competence and surmounted difficult problems. Changed conditions now indicate a much reduced scope of activity.

Completion of Subway Network.—Rapid transit in Boston relieves street congestion in the downtown area and provides rapid mass transportation. Trolley lines have been practically eliminated in this area east of Massachusetts Avenue. A network of rapid transit lines extends out to trolley and bus feeders serving the periphery of the metropolitan district.

Proposals have been made, of course, for further subway extensions. Additions to the underground system downtown may be viewed as visionary. Projects in outlying areas such as East Boston or Forest Hills have been officially studied and found economically unjustifiable.

Traffic Relief Aspects.—It has become increasingly difficult to demonstrate the need of further subways from the viewpoint of mass transportation. Boston Traffic Commission studies reveal that the total number of persons entering and leaving the central business area using rapid transit (underground and Elevated lines) declined 13.4% between 1927 and 1933. Meanwhile the number using passenger autos rose 46.8%.

Consequently, relief of traffic congestion—not more facilities for mass transportation—is to the fore.

New subway projects are now proposed primarily as a means of traffic relief. Putting street cars underground at enormous expense simply for that purpose has limited validity. There are other and less costly methods of traffic relief—underpasses, traffic circles, and similar improvements. Street cars can be eliminated on the more thinly traveled lines by substituting speedy and flexible buses or trackless trolleys. Funds for dubious subway construction would go further in correcting traffic conditions.

Subways Too Costly. Certainly there is nothing in the condition of city finances to encourage subway construction by Boston without a financial return. Boston can ill afford to attack its traffic problem through uneconomic subway construction at a cost of over \$5,000,000 a mile.

Elevated Deficits.—Continual subway expansion was formerly encouraged because the Elevated Company absorbed new subway costs without incurring deficits. This is no longer true. The table below shows total annual Elevated deficits, and assessments against Boston (two-thirds).

ELEVATED DEFICIT ASSESSMENTS.

On Transit District and Boston, 1930-38 (a. Nine months; b. Allows for tax refund.)

| Year | Amount |
|------------|-------------|
| 1930..... | — |
| 1931..... | — |
| 1932..... | \$1,775,339 |
| 1933..... | 2,753,124 |
| 1934..... | 1,551,632 |
| 1935a..... | 1,396,389 |
| 1936..... | 2,086,202 |
| 1937..... | 1,799,357 |
| 1938b..... | 1,674,823 |

The 1938 deficit was lowered \$1,250,000 by a favorable Federal tax decision. Indications now are that the 1939 deficit assessment will be twice that of 1938.

Public Trustees of the Elevated ascribe part of the road's difficulties to heavy fixed charges resulting from the high ratio of investment to total passengers carried. Evidently reluctant to add to these fixed costs, Elevated officials for 14 years have not assumed rentals on new subways.

In line with this policy the Huntington Avenue subway is being leased on terms whereby Boston assumes the capital costs until all accumulated Elevated deficit assessments have been repaid to the cities and towns of the transit district. Rapid transit extensions are now frankly the taxpayers' responsibility.

Separate Department Unnecessary.—Activities open to the Transit Department are narrowing down. At present it is working on a Huntington Avenue WPA project in which rapid transit also involves both traffic and work relief.

In the traffic field the Transit Department duplicates other city departments. The City Planning Board and the Boston Traffic Commission are both concerned with street planning and traffic relief; the Board of Street Commissioners has jurisdiction over street lines and the laying-out of highways; and the Public Works Department constructs traffic improvements.

Furthermore, the presence of an agency devoted solely to capital construction means unremitting pressure to spend for new projects. Its status should be fundamentally revised.

METROPOLITAN ASPECTS.

The 1929 statute creating the Boston Metropolitan District to meet financial and other regional transit problems provided for transfer of the Boston Transit Department to the district. Transit projects would have been financed by district bonds, and the Transit Department would have been placed under the Metropolitan Transit Council. However, as a condition, the City was required to relinquish its subways to the district. This feature was never accepted by the City.

Consequently, rapid transit development remains a local concern. The Huntington Avenue subway illustrates how unfair this is. Any operating economies of the subway lower the deficit assessment on all transit district members. Communities to the west, particularly Brookline, benefit from better transportation. Yet Boston foots the bill.

Amending the transit act of 1929 so that only rapid transit built by the District would be jointly owned would remove a major obstacle to making the Transit Department a metropolitan agency.

MEETING THE PROBLEM.

The Transit Department was to have been consolidated with other engineering services of the City, under the public works unification plan drawn by engineers of the Massachusetts Institute of Technology three years ago. Executive direction of the Transit Department was to pass to the Commissioner of Public Works; administrative supervision to the secretary of the unified Public Works Department; semi-judicial and legal authority to a departmental board; survey and planning to one staff division, and inspection and supervision of construction to another staff division. In a Bulletin of January, 1936, the Research Bureau advocated adoption of this plan.

Pending such reorganization, the Transit Department should be merged with the Public

Works and Street Laying-Out Departments. Jurisdiction over street lines, utilities, and land takings would pass to the Street Commissioners. Design and construction would lodge in a new Transit Division of the Public Works Department.

While the present Huntington Avenue Subway is building, the Transit Department staff could be kept intact as a separate division of the Public Works Department. Midway in an important job it might be unwise to tamper with existing personnel.

Certain minor improvements to structures are now made by the Elevated Company. If all such work were done in this manner, Transit Department functions would simmer down to a minimum.

Recommendations.—Because downtown subways in Boston are virtually completed and because further self-supporting subway construction in nowhere in sight, the need for a separate transit department has greatly diminished. Therefore, the Research Bureau recommends the following immediate steps:

(1) By city ordinance the present Transit Department should be made a division of the Public Works Department, certain legal powers passing to the Street Laying-Out Department. This new division should have a single head.

(2) Projects relating primarily to traffic improvements should not be assigned to the Transit Department.

(3) Present transit legislation which gives blanket authority for bond issues should be repealed. New legislation should restrict bond issues to a fixed period after completion of the project involved. No transit bonds should be issued without approval of the Mayor and City Council.

The order was passed under suspension of the rule.

EUGENE T. MALONEY SQUARE.

Coun. ENGLERT offered the following:

Ordered, That the space at the junction of Seaver street and Columbus avenue, Ward 11, be known as the Eugene T. Maloney Square instead of the Eugene P. Maloney square as passed by the Boston City Council on July 18, 1938.

Passed under suspension of the rule.

RESTORATION OF FLAGPOLE, BOSTON COMMON.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to place an item in the city budget for 1939 to provide for the restoration of the flagpole on Boston Common.

Passed under suspension of the rule.

ACCEPTANCE OF HOMESTEAD PARK, WARD 12.

Coun. TAYLOR offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Homestead park, Ward 12, as a public highway, under the W. P. A. plan of construction.

Coun. TAYLOR—Mr. President, regarding Homestead park, I would like to call to the attention of the Street Commissioners that this street has been in existence since 1900 and that the condition of the street now is deplorable, and that after a rainstorm people have to wade through mire and muck before they can get through to the other highway.

The order was passed under suspension of the rule.

REPLACEMENT OF FLASHING BEACON, WARD 12.

Coun. TAYLOR offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to replace the flashing beacon at the corner of Harold and Hutchings streets, Ward 12.

Coun. TAYLOR—Mr. President, in reference to the flashing beacon, although each member of the

City Council is clamoring for traffic lights throughout his district, we find that the Traffic Department has removed throughout the entire city a great many flashing beacons as a measure of economy. Here we are all desiring very much to have better traffic conditions, with traffic control lights, but we are unable to secure them because of the fact that there is insufficient money available. But here we find that, notwithstanding the fact that our traffic conditions are bad now in so far as the lives and safety of our people are concerned, they are taking away from the corners these traffic beacons where they are so absolutely necessary. There is one corner in particular for which I have requested such protection. That is Hutchings and Harold streets. During the past year there have been a great many accidents there, and after hard work by the previous councilor he succeeded in obtaining this beacon. Now we find, because it costs \$60 a year to maintain this beacon, the people of the City of Boston are going to be deprived of their safety. I should think that the City of Boston has gone far enough as far as these traffic conditions are concerned and should return these traffic beacons.

The order was passed under suspension of the rule.

UNDERPASS, MORTON STREET AND BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to include in his highway construction program for 1939 an underpass at the junction of Morton street and Blue Hill avenue, Ward 14, the expense of same to be met with W. P. A. funds.

Passed under suspension of the rule.

NARROWING OF RESERVATION, BLUE HILL AVENUE.

Coun. ROSENBERG offered the following:

Ordered, That the Law Department be requested, through his Honor the Mayor, to initiate such legislation as will permit the City of Boston to narrow the reservation space on Blue Hill avenue, from Morton street to Stratton street, and install safety islands.

Passed under suspension of the rule.

ENTRANCE AGE FOR KINDERGARTEN CLASSES.

Coun. ROSENBERG offered the following:

Ordered, That the School Committee be requested, through his Honor the Mayor, to revise the school entrance age for kindergarten classes in order to permit the admission of children who shall have reached the age of four years by October first of any year, instead of four years and six months as at present.

Coun. ROSENBERG—Mr. President, this year I believe is the first time that the School Committee has initiated a program whereby children, in order to be admitted to the kindergarten, must reach the age of four years and six months on or before October 1. I believe that in previous years children reaching the age of four years at any time during the school year were admitted to the kindergarten classes. This year, in several of the schools, I am informed that there are kindergarten classes having six and ten pupils in the classroom. I believe that no harm could be done, and perhaps it would be doing a great deal to help the educational standards by permitting the children who reach the age of four years prior to October 1 to be admitted to the kindergarten classes rather than to have empty classrooms where the kindergarten grades are now being maintained at the age of four years and six months prior to the first day of October. There are hundreds of children who have probably reached ten or fifteen days of the age limit required. I believe the revision will do a great deal to help the educational standards of our city.

The order was passed under suspension of the rule.

REPAVING OF GREENLEAF STREET.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repave with smooth pavement Greenleaf street, Ward 4, and also install artificial stone sidewalks thereon, under the W. P. A. plan of construction.

Passed under suspension of the rule.

MORE FEDERAL PROJECTS.

Coun. NORTON offered the following:

Ordered, That the Mayor consider the advisability of requesting more Federal projects for Boston.

Passed under suspension of the rule.

MORE SLUM CLEARANCE PROJECTS.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of requesting more slum clearance projects for Boston.

Coun. NORTON—Mr. President, I would like to include in the record these releases that have come out of Washington recently. This is the "Per Capita Federal Expenditures for all forms of relief with the States, July 1, 1933, to June 30, 1937, and the rank in per capita taxpaying ability of the States." The total relief per capita that was paid out by the Federal Government during this period ranged from \$637.62 per person down to \$67.89. Massachusetts averaged \$94.65. I am one of those, Mr. President, who thinks that we should take advantage of all that the Federal Government sees fit to give us during this so-called depression, and while I am in this Council I shall do all I can to encourage and to sponsor more and more Federal aid. I should like to include in the record this statement of the grants to the various states, and also include in the record a comparison of the total Federal relief as paid to the various states for the calendar year 1937. Some of the states are receiving a tremendous amount of money. All the states referred to have their per capita costs listed. Massachusetts does not rank very high in this list. I think if the Mayor and other public officials have an opportunity to look these tables over in the *City Record* it may give them additional data on this important subject of Federal aid.

Coun. WILSON—Mr. President, may the order be read again about the slum clearance?

The order was again read by the clerk.

Coun. WILSON—May that be amended by striking out the word "more"? I don't think they should consider Old Harbor as a slum clearance.

Coun. NORTON—Mr. President, I object to striking out any word that is in the order. I want more slum clearance for Boston. I want more slum clearance so long as we have children and people living in homes that are unfit for human habitation. We ought to have at least a dozen projects here in Boston. What is wrong with the South Boston project?

Coun. WILSON—Is that a question?

Coun. NORTON—Yes, question No. 1.

Coun. WILSON—In answer to question No. 1, so far as slum clearance is concerned, my understanding has always been that there was exactly one tenement house demolished incident to the construction of that project, and that directly the project was done the poorest families of Boston were all automatically eliminated from any possibility of living there. So—perhaps erroneously—I had gathered the impression that Old Harbor Village did not connote slum clearance.

Coun. NORTON—Mr. President, I wish the councilor would come in here with something definite sometime. Tell me the families that are living in Old Harbor Village that should not live there. Point out the family that came from a good home. Why don't you consider the thousands that are in there that are for the first time living in a decent home? Admitting that everything you say about the project is right, for the sake of argument, and admitting your whole con-

tion against it is right for the sake of argument, don't you think it is a splendid idea to encourage, even though that South Boston project does not meet with your approval? Don't you approve of the fact that there are five thousand men, women, and children over there today living in warm homes and proper homes for the first time, many of them, or most of them? No doubt there will be other projects come to Boston, because it is in line not only with the Federal Government project but in line with the world's program. We are going to have them here. The question is, where they are going to be built? No one knows where we should put a slum project clearance that is completed ten years from now. No one in Boston knows where we will be building schools ten years from now, much less building a housing project. We will tear down the slums. The next housing project in Boston, says Mr. Keyserling, general counsel for the Administration, in answer to one of the interrogatories about evacuating property, is, I understand, they have to tear down the houses as a slum clearance proposition. He doesn't mean to say that if they tear down twenty-five houses in the North End they have got to build a project there. There is not anyone barred to slum clearance in Boston. There is something wrong with our presentation. It is like the people who, twenty years after Horace Mann's fight in 1846, 1847 and 1848, the secretary of the Massachusetts Board of Education, the founder of the public school—twenty years after they were still objectors. The rich man with no children said, "Why should I pay for the children of the family across the street?" We still have that vestige remaining on such things as slum clearance. So that I am presenting this order, Mr. President, that the Mayor of Boston consider the advisability of requesting more slum clearance projects for Boston. I am sure the Mayor of Boston is in sympathy with this, because how, in the name of common sense, could he be against housing projects today? I am sure he is in sympathy with great public housing projects here in Boston. Governor Murphy of Detroit says they can't get enough of them. Mayor LaGuardia of New York said, "We want double the projects we have here; we will not charge you a cent of taxes; ten times as much as we would get out of these slum clearance areas it costs the city now to subsidize the dirty homes, unfit for human habitation; give us more of the marvelous buildings that Roosevelt has given to New York, and we will not charge you taxes." Angelo Rossi, Mayor of San Francisco, takes the same attitude. "Give us more, Mr. President." It is the same from the Atlantic to the Pacific. Why should not we have them?

Coun. WILSON—Mr. President, in response to the second question in reference to the financial income, it is the persons who have been permitted to enter Old Harbor Village that makes it very difficult for me to answer that question, because that is one of my criticisms of the Housing Authority. It is almost impossible to get any concrete statistics or figures relating to Old Harbor Village from the beginning down to the present. The criticism that I have chiefly heard through the sections I represent is that people who, I would assume, would be entitled to move into that so-called slum clearance project have been refused admission, and nobody seems to be able to find out what the real qualifications are, or whether it depends upon your financial status in the world or your political and personal influence. That does not surprise me especially, because it was only a few weeks ago that we received a message back that the United States Government was not able to tell the City of Boston or the City Council how much P. W. A. money had been expended in the City of Boston or sent through the City of Boston at any time from the year 1933 down to 1938. It appears that, however logical a good many of these projects may be, the one thing the present administration in Washington is unwilling to do is to furnish any statistics or any figures whatever. It was very amazing that the Government of the United States could not tell the City Council of Boston for any one of the years from 1933 to 1938, how much P. W. A. money had been sent to this capital of the State of Massachusetts.

Coun. NORTON—I ask, Mr. President, that there be included in the record the statements from the Housing Authority only with reference to the placement of these units. And the second one is from Nathan Straus, administrator, United States Housing Authority, in answer to a question which was put to me before a meeting one evening.

This was the question: Take off the taxes from these houses and we could build those houses as cheaply as the Government does; we will provide low-rent houses if you will eliminate our taxes as you do in the Government units. That is a very interesting question. So Mr. Nathan Straus, the administrator, answers that question here by saying it is impossible, that the individual cannot receive his money at as low an interest rate as can the national government.

There being no objection, the following is included in the record:

Department of the Interior,
United States Housing Authority,
Washington, May 9, 1938.

In reply please refer to: Legal HR. Mass. 2.

Dear Mr. Norton,—Allow me to acknowledge your letters of May 2 and 4 inquiring as to the necessity of constructing housing projects on slum sites and the number of projects in Puerto Rico and the Virgin Islands.

Under the United States Housing Act of 1937, housing projects may be constructed on vacant or slum sites. The only limitation is the requirement that the project must include the elimination by demolition, condemnation and effective closing, or the compulsory repair or improvement, of unsafe or unsanitary dwelling units in the locality or metropolitan area substantially equal in number to the number of newly constructed dwelling units provided by the project. This equivalent slum elimination may be deferred in the case of an acute and dangerous housing shortage.

Equivalent elimination need not take place upon the site. It may be accomplished elsewhere in the city at no expense to the project through the exercise of the police power of the city, that is, the enforcement of the city's building, health, safety or other ordinances. Enclosed is a bulletin which expresses the policy of the U. S. H. A. with respect to the equivalent elimination of unsafe or unsanitary dwelling units together with a press release indicating the amount of slum elimination being carried on in the cities wherein contracts for loans and annual contributions have already been executed.

The proposed Massachusetts Housing Authority Bill contains a somewhat similar limitation. Housing projects may be constructed on either vacant or slum sites, but under section 26 CC any project must include the elimination by demolition, condemnation and effective closing of unsafe or unsanitary buildings situated in the same city or town containing dwelling units substantially equal in number to the number of newly constructed dwelling units except that such elimination may be deferred, in the discretion of the State Housing Board, for a period of not more than three years from the completion of the project where there is an acute or dangerous shortage of housing. This provision is more restrictive than the provision in the United States Housing Act since it does not permit including slum elimination accomplished through compulsory repair or improvement. In neither case, however, must slum elimination precede actual construction.

The Federal Government is constructing three housing projects in the Virgin Islands and two in Puerto Rico where the need is great. These projects include the construction of 332 dwelling units and will cost approximately \$750,000. The projects in Puerto Rico have been transferred by Executive Order to the Puerto Rico Reconstruction Administration.

Very sincerely yours,
LEON H. KEYSERLING, General Counsel,
for the Administrator.

Department of the Interior,
United States Housing Authority,
Washington, September 14, 1938.

My dear Mr. Norton,—Allow me to acknowledge your letter of September 9 inquiring whether the nonpayment of taxes on privately-owned houses would make possible the charging of low rentals by private enterprise.

Tax exemption is merely one of the means of achieving low rentals. Even with tax exemption private enterprise would be forced to charge rentals which would be beyond the reach of the low-income group, both because of the necessity for paying debt service and the securing of a

profit. The local housing authorities are able to achieve low rentals because of the yearly subsidy granted by the United States Housing Authority which approximates the cost of debt service on the capital cost of a project. Moreover, since housing authorities are public non-profit bodies, there is no necessity for adding to rentals a profit on the monies invested. In short, rents under the low-rent housing program are largely determined by operating expenses, only, without the necessity for adding to rents, as private enterprise must, the cost of yearly principal and interest payments and a profit on monies invested.

Faithfully yours,
NATHAN STRAUS,
Administrator.

[Extract from the Congressional Record of June 15, 1928.]

PER CAPITA FEDERAL EXPENDITURES FOR ALL FORMS OF RELIEF WITH THE STATES, JULY 1, 1933, TO JUNE 30, 1937, AND THE RANK IN PER CAPITA TAXPAYING ABILITY OF THE STATES.

| STATES. | Total relief per capita. | Rank in per capita taxpaying ability (1930). |
|---------------------------|--------------------------|--|
| Alabama..... | \$123 77 | 47 |
| Arizona..... | 305 58 | 20 |
| Arkansas..... | 126 90 | 45 |
| California..... | 113 36 | 7 |
| Colorado..... | 178 90 | 21 |
| Connecticut..... | 61 11 | 6 |
| Delaware..... | 100 77 | 1 |
| District of Columbia..... | ..... | 4 |
| Florida..... | 120 90 | 35 |
| Georgia..... | 103 70 | 46 |
| Idaho..... | 238 94 | 26 |
| Illinois..... | 110 68 | 10 |
| Indiana..... | 93 96 | 31 |
| Iowa..... | 143 30 | 12 |
| Kansas..... | 176 77 | 22 |
| Kentucky..... | 70 41 | 43 |
| Louisiana..... | 108 30 | 44 |
| Maine..... | 76 64 | 32 |
| Maryland..... | 79 63 | 23 |
| Massachusetts..... | 94 65 | 9 |
| Michigan..... | 89 52 | 15 |
| Minnesota..... | 138 08 | 24 |
| Mississippi..... | 121 55 | 49 |
| Missouri..... | 98 52 | 28 |
| Montana..... | 433 95 | 13 |
| Nebraska..... | 205 21 | 17 |
| Nevada..... | 637 62 | 2 |
| New Hampshire..... | 83 73 | 30 |
| New Jersey..... | 77 64 | 5 |
| New Mexico..... | 277 72 | 39 |
| New York..... | 117 25 | 3 |
| North Carolina..... | 75 37 | 42 |
| North Dakota..... | 309 20 | 34 |
| Ohio..... | 104 40 | 18 |
| Oklahoma..... | 124 18 | 37 |
| Oregon..... | 172 25 | 14 |
| Pennsylvania..... | 88 59 | 19 |
| Rhode Island..... | 63 58 | 11 |
| South Carolina..... | 110 29 | 48 |
| South Dakota..... | 318 20 | 27 |
| Tennessee..... | 111 06 | 41 |
| Texas..... | 119 98 | 38 |
| Utah..... | 196 14 | 29 |
| Vermont..... | 122 98 | 36 |
| Virginia..... | 67 89 | 40 |
| Washington..... | 163 99 | 16 |
| West Virginia..... | 101 07 | 33 |
| Wisconsin..... | 118 63 | 25 |
| Wyoming..... | 330 64 | 8 |
| United States total..... | 115 18 | ..... |

Sources: CONGRESSIONAL RECORD, May 26, 1938, for relief expenditures per capita and Index of the Taxpaying Ability of State and Local Government, by Mabel Newcomer, for the taxpaying ability of the States.

[Extract from the Congressional Record of May 12, 1938.]

COMPARISON OF TOTAL FEDERAL RELIEF (W. P. A.) AND LOCAL DIRECT RELIEF EXPENDITURES AND INTERNAL REVENUE COLLECTIONS FOR CALENDAR YEAR 1937.

| States (48 and District of Columbia) | Federal funds used on W. P. A. projects ¹ | State and local funds used for general and emergency relief programs of State and local relief agencies (direct relief) ¹ | Ratio of State and local general relief expenditures to Federal W. P. A. expenditures (percent) | Internal revenue collections (all sources) ² |
|--------------------------------------|--|--|---|---|
| United States..... | \$1,505,593,000 | \$469,080,000 | 31.2 | \$5,617,088,564 13 |
| Alabama..... | \$13,979,000 | \$212,000 | 1.5 | \$14,792,564 43 |
| Arizona..... | 5,708,000 | 1,136,000 | 19.9 | 4,070,586 48 |
| Arkansas..... | 12,985,000 | 544,000 | 4.2 | 8,024,119 68 |
| California..... | 84,815,000 | 34,840,000 | 41.1 | 310,944,662 73 |
| Colorado..... | 16,038,000 | 2,362,000 | 14.7 | 29,117,660 97 |
| Connecticut..... | 15,953,000 | 5,772,000 | 36.2 | 92,693,582 09 |
| Delaware..... | 1,461,000 | 351,000 | 24.0 | 80,381,182 18 |
| District of Columbia..... | 7,331,000 | 1,154,000 | 15.7 | ..... |
| Florida..... | 15,028,000 | 580,000 | 3.9 | 42,943,421 05 |
| Georgia..... | 15,987,000 | 981,000 | 6.1 | 34,122,548 04 |
| Idaho..... | 4,643,000 | 671,000 | 14.5 | 4,054,203 20 |
| Illinois..... | 107,560,000 | 49,012,000 | 45.6 | 511,032,173 88 |
| Indiana..... | 43,277,000 | 6,179,000 | 14.3 | 112,928,527 19 |
| Iowa..... | 14,937,000 | 7,742,000 | 51.8 | 23,179,629 19 |
| Kansas..... | 21,284,000 | 4,298,000 | 20.2 | 24,179,087 56 |
| Kentucky..... | 23,302,000 | 661,000 | 2.8 | 120,439,554 72 |
| Louisiana..... | 18,759,000 | 1,481,000 | 7.9 | 40,679,182 10 |
| Maine..... | 4,220,000 | 3,255,000 | 77.1 | 14,208,357 29 |
| Maryland..... | 8,679,000 | 2,200,000 | 25.3 | 141,727,872 98 |
| Massachusetts..... | 73,805,000 | 22,540,000 | 30.5 | 190,485,558 42 |
| Michigan..... | 44,576,000 | 17,214,000 | 38.6 | 340,850,865 79 |
| Minnesota..... | 34,810,000 | 13,733,000 | 39.5 | 67,660,371 57 |
| Mississippi..... | 12,099,000 | 46,000 | .4 | 6,186,033 57 |
| Missouri..... | 43,373,000 | 6,270,000 | 14.5 | 133,107,995 63 |
| Montana..... | 9,094,000 | 895,000 | 9.8 | 6,270,217 39 |
| Nebraska..... | 14,397,000 | 1,447,000 | 10.1 | 20,414,083 87 |
| Nevada..... | 1,500,000 | 198,000 | 13.2 | 4,775,135 85 |
| New Hampshire..... | 4,812,000 | 2,381,000 | 49.5 | 9,624,131 24 |
| New Jersey..... | 64,046,000 | 17,126,000 | 26.7 | 218,574,991 36 |
| New Mexico..... | 6,205,000 | 328,000 | 5.3 | 2,558,230 66 |
| New York..... | 254,281,000 | 140,088,000 | 55.1 | 1,220,651,352 31 |
| North Carolina..... | 12,003,000 | 705,000 | 5.9 | 324,756,911 93 |
| North Dakota..... | 9,488,000 | 2,183,000 | 23.0 | 1,658,487 82 |
| Ohio..... | 91,495,000 | 20,391,000 | 22.3 | 328,300,864 94 |
| Oklahoma..... | 24,546,000 | 2,063,000 | 8.4 | 58,266,063 96 |
| Oregon..... | 11,515,000 | 2,350,000 | 20.4 | 14,973,546 31 |
| Pennsylvania..... | 172,223,000 | 63,154,000 | 36.7 | 473,630,189 00 |
| Rhode Island..... | 8,118,000 | 3,437,000 | 42.3 | 30,014,093 63 |
| South Carolina..... | 10,838,000 | 99,000 | .9 | 11,086,434 05 |
| South Dakota..... | 11,060,000 | 1,071,000 | 9.7 | 2,073,554 28 |
| Tennessee..... | 13,301,000 | 1,067,000 | 8.0 | 30,642,440 05 |
| Texas..... | 33,202,000 | 1,313,000 | 4.0 | 127,113,183 77 |
| Utah..... | 6,466,000 | 1,441,000 | 22.3 | 7,149,589 99 |
| Vermont..... | 2,176,000 | 872,000 | 40.1 | 4,514,750 03 |
| Virginia..... | 10,986,000 | 1,050,000 | 9.6 | 193,908,169 75 |
| Washington..... | 21,815,000 | 7,471,000 | 34.2 | 37,308,596 16 |
| West Virginia..... | 21,942,000 | 2,859,000 | 13.0 | 23,394,080 63 |
| Wisconsin..... | 36,011,000 | 11,558,000 | 32.1 | 99,307,475 85 |
| Wyoming..... | 2,054,000 | 299,000 | 14.6 | 3,060,240 21 |
| Undistributed..... | 7,410,000 | ..... | ..... | ..... |

¹ Source: Works Progress Administration.

² Source: Treasury Department, Bureau of Internal Revenue; includes pay roll and agricultural adjustment taxes; total for United States includes receipts from Territories.

The order was passed under suspension of the rule.

IMMEDIATE COLLECTION OF ASHES AND GARBAGE, WARD 10.

Coun. CAREY offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to arrange for the immediate collection of ashes and garbage in Ward 10, which has been neglected owing to the fact that the city trucks for this section have been engaged in the emergency work of removing debris as a result of the recent hurricane.

Coun. CAREY—Mr. President, we know that a human being can't be in two places at once. The city equipment, as we are told, has been engaged for the last ten days in clearing away the debris after the storm. However, I have received numerous complaints. Some of them say that garbage has remained uncollected for as many as three or four weeks. I hope that an arrangement

will be made immediately to start to renew the collection of this garbage and refuse in order that the complainants may be satisfied.

This order was passed under suspension of the rule.

CHILDREN'S PLAYGROUND IN FENWAY.

Coun. CHASE, CAREY and SHATTUCK offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to improve the children's playground in the Fenway by erecting a suitable barrier at the water's edge to prevent small children from wading too far into the water, by installing shaded seats for mothers and by the erection of a field house equipped with showers and toilet facilities, as a W. P. A. project.

Passed under suspension of the rule.

SIDEWALK ON NONANTUM STREET,
WARD 22.

Coun. SULLIVAN offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Nonantum street, from Washington street to Newton line, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of Type I, bituminous concrete, under the provisions of chapter 196 of the Special Acts of 1917. To be done under a W. P. A. project.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 22 STREETS.

Coun. SULLIVAN offered the following:
Ordered, That the Board of Street Commissioners be requested, through his honor the Mayor, to lay out and accept the following named streets in Ward 22 as public highways under the W. P. A. plan of construction: Colwell avenue, Ryder Hill road, Adair road.

Passed under suspension of the rule.

STEPS CONNECTING STURGES ROAD
AND BELLEVUE STREET.

Coun. LYONS offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install a flight of steps connecting Sturges road with Bellevue street, Ward 20.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 20 STREETS.

Coun. LYONS offered the following:
Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 20 as public highways, under the W. P. A. plan of construction: North avenue, Wright road, New Haven street.

Passed under suspension of the rule.

RESURFACING OF TAPPAN STREET.

Coun. LYONS offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Tappan street, Ward 20, and install sidewalks thereon, under the W. P. A. plan of construction.

Passed under suspension of the rule.

SIDEWALKS ON WESTBOURNE STREET.

Coun. LYONS offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install sidewalks on Westbourne street, Ward 20, under the W. P. A. plan of construction.

Passed under suspension of the rule.

BLOCKING OF AISLES IN THEATERS.

Coun. LYONS offered the following:
Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to instruct his various district chiefs to enforce the fire laws with reference to the blocking of aisles by studees in theaters throughout the city, particularly in Rosindale.

Passed under suspension of the rule.

PROTEST AGAINST BROADCAST OF
JUDGE RUTHERFORD.

Coun. IRWIN and GALVIN offered the following:

Resolved, That the City Council of Boston be recorded as strongly protesting against the speech

of Judge Joseph F. Rutherford which was broadcasted over the radio on Sunday, October 2, 1938 and be it futher

Resolved, That in view of his narrow and bigoted utterances, said Judge Rutherford be denied the use of the radio for any further broadcasts by the Federal Communications Commission.

Coun. IRWIN—Mr. President, I introduced this order along with Councilor Galvin because an attempt has been made to slander and vilify the Catholic religion. Only through the quick thinking and intervention of the manager of radio station WORL was the man cut off so that his utterances were not brought into the homes. Now, I know that this Council is made up of a body of men that have different beliefs in religion, but I know that each and every one of us holds his religion sacred. It is something that we believe in, and we don't want any other man slandering it or belittling it. I know if it was the Jewish religion or the Protestant religion this Council would be in accord with me and they would say that they would not want utterances made on the radio attacking anyone's religion. I ask the Council to further ask the Federal Communications Commission to bar this man from the air, because at different times men have been barred from the air for some little joke that had a double meaning to it. As I say, this man's voice is penetrating into every home, men and women, and some children, are listening to it, and I say that he is one of the most dangerous persons that could exist. I ask that the Council go on record as strongly opposing the remarks. A number of people of the Catholic faith have been asked to write in to the radio station protesting this man's speeches, and already more telephones and letters of protest against the attack on the Catholic religion have been received by that radio station than on account of any other speech that has ever been made. I ask the Council to go on record as protesting the speech, and also asking the Federal Communications Commission to bar a man, who was so bigoted as to attack a religion, from the air forever.

Referred to the Committee on Rules.

USE OF RANDIDGE FUND.

Coun. HUTCHINSON offered the following:
Ordered, That the City Auditor be requested, through his Honor the Mayor, to inform the City Council for what purposes, if any, the Randidge Fund was used during the present year.

Passed under suspension of the rule.

REPAIRS TO FLAGPOLE, HAYES SQUARE.

Coun. GALVIN offered the following:
Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to make necessary repairs to the flagpole in Hayes square, Ward 2.

Passed under suspension of the rule.

RESURFACING OF CANTERBURY STREET.

Coun. NORTON offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Canterbury street, Ward 18, from Mt. Calvary road to Cummins Highway, and install granolithic sidewalks thereon, under the W. P. A. plan of construction.

Passed under suspension of the rule.

ADDITIONAL FACILITIES, HEALTH
UNITS.

Coun. GALVIN offered the following:
Ordered, That the Health Commissioner be requested, through his Honor the Mayor, to provide additional attendants and cots for the convenience of the children now being cared for in the health units of the City of Boston.

Passed under suspension of the rule.

RECESS.

On motion of Coun. GALVIN the Council voted to take a recess at 3.30 p. m., subject to the call of the President. The Council reassembled and was called to order by the President at 4.35 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. 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 17, nays 0.

2. Report on message of Mayor and order (referred today) recommending transfer of \$15,000 from Library Department, II, Relief Projects, to Hospital Department, Sanatorium F Division, II, Relief Projects—recommending that same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

3. Report on message of Mayor and order (referred today) that \$7,000 be appropriated for Municipal Employment Bureau—recommending that same ought to pass.

Report accepted; said order passed, yeas 17, nays 0.

4. Report on message of Mayor and order (referred today) granting license to trustees of Boston University to build over portion of sewer—recommending passage of order.

Report accepted; said order passed, yeas 17, nays 0.

THE NEXT MEETING.

On motion of Coun. AGNEW the Council voted that when it adjourn it be to meet on Monday, October 17.

Adjourned, on motion of Coun. AGNEW, at 4.39 p. m., to meet on Monday, October 17, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 17, 1938.

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

APPOINTMENTS BY THE MAYOR.

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

Constables for term ending April 30, 1939, to serve civil process upon the filing of bonds: Joseph J. Cunningham, 75 Congreve street, Ward 20; Aldo Caviechi, 488 Columbus avenue, Ward 4; Morris Glick, 38 Holborn street, Ward 12.

Weighers of Coal: Edward L. Stevens, 17 Oliver road, Belmont, Mass.; Ralph Seretto, 22 Franklin street, Arlington, Mass.; Ralph H. Cutter, 23 Gloucester street, Arlington, Mass.

Weighter of Grain: P. H. Sheridan, 70 Alder street, Waltham, Mass.

Severally laid over a week under the law.

FUEL ORDERS TO WELFARE RECIPIENTS.

The following was received:

City of Boston,

Office of the Mayor, October 17, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Executive Director of the Overseers of the Public Welfare relative to your order of September 12, 1938, concerning using discretionary powers in the matter of issuing fuel orders to welfare recipients prior to the usual date in November.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
October 4, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with inclosed copy of an order from the City Council, dated September 12, 1938, reading as follows:

"Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to use their discretionary powers in the matter of issuing fuel orders to welfare recipients prior to the usual date in November, provided, in their opinion, weather conditions warrant same."

As is usually done, this department will be prepared to furnish fuel to recipients prior to November 1, if weather conditions make it necessary.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

REOPENING OF COMMODITY STATION,
WOODROW AVENUE.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Executive Director of the Overseers of the Public Welfare relative to your order of September 26, 1938, concerning the Commodity Station on Woodrow avenue being reopened immediately.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
October 4, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—This department has received your communication with inclosed copy of an order from the City Council, dated September 26, 1938, reading as follows:

"Ordered, That his Honor the Mayor be requested to exert every effort to have the Commodity Station on Woodrow avenue immediately reopened, in order that the recipients both on the welfare and W. P. A. will not be required to spend carfare in order to receive the commodities that are available for distribution."

This department does not conduct these commodity distribution centers. They are under the control and supervision of the Surplus Commodities Division, 600 Washington street. I have, however, forwarded a copy of the City Council order to Mr. John Stalker, Acting Director of the Division, and have asked him for a report on the matter. I will forward this to you when it is received.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

SIDEWALK, 365 SOUTH HUNTINGTON
AVENUE.

The following was received:

City of Boston,

Office of the Mayor, October 17, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of September 26, 1938, concerning the construction of an artificial stone sidewalk in front of 365 South Huntington avenue.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 6, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning notice of lien order that was passed in the City Council on September 26, ordering the construction of an artificial stone sidewalk in front of 365 South Huntington avenue.

We shall have this sidewalk constructed under a W. P. A. grant as soon as possible.

I recommend that this order be approved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

SIDEWALKS, BROOKFIELD STREET,
WARD 20.

The following was received:

City of Boston,

Office of the Mayor, October 17, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of September 12, 1938, concerning the construction of sidewalks on both sides of Brookfield street, Ward 20, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 10, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning notice of order that was passed in the City Council on September 12, requesting the Commissioner of Public Works to construct sidewalks on both sides of Brookfield street, Ward 20, under the W. P. A. plan of construction.

We have established a policy whereby no sidewalks, upon which no previous assessments have been made, will be constructed under W. P. A. or otherwise unless assessments are levied.

We propose to have these sidewalks constructed if a lien order is passed in the City Council, in accordance with the provisions of chapter 196 of the Acts of 1917.

I recommend that this order be disapproved.
Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.
Placed on file.

CONSTRUCTION OF WARD 13 STREETS.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of September 12, 1938, concerning the construction of Spring Garden street, Folsom street, Fairbury street and Dewey street, all of which are in Ward 13.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 6, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning notice of order passed in the City Council on September 12, relative to the construction of Spring Garden street, Folsom street, Fairbury street and Dewey street, all of which are in Ward 13.

Fairbury and Dewey streets have been approved as W. P. A. projects and we shall start construction within a short time.

We shall submit Spring Garden and Folsom streets for approval by the W. P. A. authorities, and will start the construction at these locations as soon as possible.

I recommend that this order be approved.
Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.
Placed on file.

ADDITIONAL ATTENDANTS AND COTS IN HEALTH UNITS.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your order of October 3, 1938, concerning the provision of additional attendants and cots for the convenience of the children now being cared for in the Health Units of the City of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, October 8, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Reporting upon your request for consideration and report on order of the City Council, dated October 3, 1938, relative to providing additional attendants and cots for the convenience of the children now being cared for in the Health Units of the City of Boston, I have to say that the roof activities of the Health Units, to which I presume the order refers, are a government project under the direction of the School Committee of the City of Boston, of which Miss Susan Ginn is the director in charge.

It would seem to me that this request for additional personnel and equipment should be directed to the School Committee rather than to the Health Department.

Yours respectfully,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

SIDEWALKS IN HALL STREET.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your

order of September 26, 1938, relative to the construction of artificial stone sidewalks in Hall street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 6, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning notice of lien order that was passed in the City Council on September 26, ordering the construction of artificial stone sidewalks in Hall street.

We shall have these sidewalks constructed under a W. P. A. grant as soon as possible.

I recommend that this order be approved.
Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

CHILDREN'S PLAYGROUND, FENWAY.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Park Commissioner relative to your order of October 3, 1938, concerning improvements to the children's playground in the Fenway.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 7, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am in receipt of a memorandum from your office with inclosure, order from the City Council relative to improving the children's playground in the Fenway.

Please be informed that immediate investigation will be made on the possibilities of complying with the request.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FLAGPOLE ON BOSTON COMMON.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Park Commissioner relative to your order of October 3, 1938, concerning the restoration of the flagpole on Boston Common.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 7, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am in receipt of a memorandum from your office with inclosure, order from the City Council regarding the restoration of the flagpole on Boston Common.

Please be informed that a project has been forwarded to the Federal Authorities for the removal of the present flagpole and the substitution of a new single pole, 90 to 100 feet high, also for the removal of the one in City square and the one in Hayes square, Charlestown, which is dangerous.

These poles do not come under the jurisdiction of this department, but, by your direction, I am trying to have them restored at the earliest possible moment at the expense of the Federal Government.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

FLAGPOLE, HAYES SQUARE.

The following was received:

City of Boston,
Office of the Mayor, October 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Park Commissioner relative to your order of

October 3, 1938, concerning the making of the necessary repairs to the flagpole in Hayes square, Ward 2.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I am in receipt of a memorandum from your office with inclosure, order from the City Council, relative to making the necessary repairs to the flagpole in Hayes square, Charlestown.

Please be informed that a project has been forwarded to the Federal authorities for the removal of the flagpole in Hayes square, Charlestown, which is dangerous.

This pole does not come under the jurisdiction of this department, hut, by your direction, I am trying to have same restored at the earliest possible moment at the expense of the Federal Government.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BLOCKING OF THEATER AISLES.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Fire Commissioner relative to your order of October 3, 1938, concerning the hocking of aisles by standees in theaters.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, October 11, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—In connection with an order passed by the City Council October 3, 1938, relative to the hocking of aisles by standees in theaters, particularly in Roslindale, would advise that while there is a Building Department regulation which covers this condition, the district chiefs of this department make regular inspections of theaters to see if same is being observed, and they have been instructed to give closer supervision to this regulation in the future, reporting to the Building Department, wherein the power of correcting improper conditions lies.

Very truly yours,
WM. ARTHUR REILLY,
Fire Commissioner.

Placed on file.

SEWER OVERFLOW, CENTRAL WHARF.

The following was received:

City of Boston,
Office of the Mayor, October 7, 1938.
To the Honorable the City Council.

Gentlemen,—On June 27, 1938, your Honorable Body approved a P. W. A. project for the construction of concrete sewer overflow in Central Wharf (P. W. A., Docket No. Mass. 1471-F). This project was approved by me on June 28, 1938.

As set forth in the order approving said project the city's share of the cost of same is to be met from the proceeds of a loan already authorized for sewerage works.

I have received an offer by the United States of America to aid in financing the construction of said project, referred to in said offer as the construction of storm drainage works, by making a grant to the City of Boston in the amount of 45 per cent of the cost of said project, said grant not to exceed in any event the sum of \$32,676.

I am transmitting herewith to your Honorable Body the following:

1. Copy of offer by the United States of America in said project;
2. Copy of Terms and Conditions (P. W. A., Form 230) referred to in said offer; and
3. Form of order of acceptance of offer relating to said project.

In view of the necessity of prompt action in order to obtain said grant, I urgently recommend prompt consideration and passage by your Honorable Body of the accompanying order.

Yours very truly,
MAURICE J. TOBIN, 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 construction of storm drainage works in Central Wharf, including the acquisition of necessary land and rights of way, a copy of which offer reads as follows:

"Federal Emergency Administration
of Public Works,

Washington, D. C.,
Dated: October 6, 1938.
Docket No. Mass. 1471-F.

City of Boston,
Boston, Suffolk County, Massachusetts.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of storm drainage works, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the City of Boston (herein called the "Applicant") in the amount of 45 per cent of the cost of Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), hut not to exceed, in any event, the sum of \$32,676.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 10 months from the commencement of construction.

3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

UNITED STATES OF AMERICA,
FEDERAL EMERGENCY ADMINISTRATOR
OF PUBLIC WORKS.

By (Sgd.) E. M. CLARK,
for the Assistant Administrator",

he, and the same is hereby, in all respects accepted; and further

Ordered, That said City of Boston agrees to abide by all the terms and conditions relating to such grant, a copy of which terms and conditions were annexed to the government's offer and made a part thereof.

Referred to Executive Committee.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
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 \$22,000 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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 15, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are hereby respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$22,000 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..... \$22,000

When making up the budget estimates for the year 1938, 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 1938, 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 \$22,000 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..... \$22,000
Referred to Executive Committee.

SALE OF PUBLIC WORKS DEPARTMENT PROPERTY.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the City Council.

Gentlemen,—I am informed by the Commissioner of Public Works that his department has various equipment and materials which are no longer of any use to that department. The estimated return of the sale of this equipment will be approximately fifteen hundred dollars (\$1,500).

I therefore request that your Honorable Body pass the accompanying order giving the Commissioner of Public Works the authority to sell this property at public auction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 14, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I respectfully recommend that an order be introduced in the City Council authorizing the Commissioner of Public Works to dispose of, by a series of public auctions, equipment and materials that are of no further use to the Public Works Department.

It is difficult to estimate how much will be received from these auctions, but it probably will be in excess of \$1,500.

We held a public auction at the Chestnut Hill Avenue Paving Yard of such property, on October 11, and received \$706 gross, or \$635.40 net after deducting the auctioneer's fee. Authority was granted by your Honor on September 29 to conduct this auction, although at that time I estimated that the receipts would not exceed \$500.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Ordered, That the Commissioner of Public Works be authorized to sell at public auction various equipment and materials of no further use to that department.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
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,
MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be, and hereby is, authorized to make the following transfer in the appropriations for Fire Department:

From the appropriation for B, Contractual Service, \$3,670; C, Equipment, \$1,000; E, Materials, \$1,000, to the appropriation for D, Supplies, \$5,670.

Ordered, That under authority of 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, \$1,198, to the appropriation for F, Special Items, \$1,198.

Ordered, That under authority of 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 B, Contractual Services, \$50, to the appropriation for C, Equipment, \$50.

Referred to Executive Committee.

HOUSING PROJECTS.

The following was received:

City of Boston,
Office of the Mayor, October 17, 1938.
To the Honorable the City Council.

Gentlemen,—The sum of \$24,000,000 has already been earmarked by the United States Housing Authority for low-rent housing in Boston. This sum together with the amounts to be financed through other than Federal sources will make almost \$27,000,000 available to be expended by the Boston Housing Authority for decent, safe and sanitary dwelling units within the financial reach of persons of low income, pursuant to the Housing Authority Law of this Commonwealth (sections 26 I to 26 II of chapter 121 of the General Laws, as inserted by chapter 484 of the Acts of 1938).

What the expenditure of this huge sum within the territorial limits of Boston—with the resultant opportunities for employment—means to the citizens of Boston, I need not tell you. Nor need I dwell at length upon the social significance of making available decent, safe and sanitary low-rent housing to 4,500 families. The advantages of the Old Harbor Village project in South Boston to a little over a thousand families are only a sample of what can be done. Of as vital social value is the elimination of substantially the same number of sub-standard units, possible breeding places of disease, crime and juvenile delinquency. Moreover, elimination of sub-standard units means dollar savings to the city. Repeatedly, here in Boston and elsewhere, it has been proven that these sub-standard areas absorb many times as much of city revenue as they contribute in taxes, because of the higher costs of public health, safety and fire, accident and crime prevention in such areas as compared with the city generally.

The Boston Housing Authority and the United States Housing Authority have been in negotiation for Federal aid in financing the construction of low-rent housing projects and annual Federal contributions in maintaining these projects so that persons of the lowest income group may enjoy their benefits. Certain action must be taken by the city in order that the terms of the United States Housing Act of 1937 (the Wagner-Steagall Act) and the Housing Authority Law of Massachusetts may be complied with.

Accordingly, I submit the accompanying order determining that the city shall cooperate with the Boston Housing Authority and approving a form of contract with the Authority. The main features of the contract are, in substance, as follows:

1. During the "cooperation period," when bonds of the Authority issued to finance a project are outstanding (estimated at sixty years), the Authority will pay to the city in lieu of taxes, betterments and special assessments on the real estate and tangible personal property constituting the project, and in payment of all municipal services and facilities, except water, a sum equal to 4½ per cent of the total shelter rent collected in such projects, shelter rent meaning the amount paid by the tenant for occupancy, after deducting charges for heat, gas, electric current and other such services. In this connection, I should point out that the real estate and tangible personal property of projects of the Authority are expressly made exempt from taxation, betterments and special assessments by the Housing Authority Law of Massachusetts.

2. At the end of the cooperation period the Authority will convey all the real estate and tangible personal property in a project to the city without any payment by the city.

3. If the Authority does not include in a project the elimination of as many sub-standard dwelling units as new units constructed, the city will see to it that a sufficient number of sub-standard units to make up the deficiency are demolished by the owners, by public officers such as the Building Commissioner or by the city on property owned by it. It is now contemplated that no such additional demolition will actually be necessary.

4. If existing streets in or at a project are no longer needed as streets, they will be discontinued; and if new streets are planned, the Authority will dedicate such streets to public use. The Authority will pay to the city the cost of the construction and installation of streets, sidewalks and sewers within the areas of projects (for which special assessments or betterments could normally be levied), the amount and manner of payment to be determined by agreement.

5. The Authority will operate and maintain the projects for families of low income and will cooperate with the city in keeping the city fully informed as to the status of projects.

I am advised by the Corporation Counsel that the foregoing agreements, set forth in the contract, are authorized by the Housing Authority Law, and especially sections 26W and 26X thereof.

The Boston Housing Authority has already approved the foregoing contract and authorized its execution and delivery.

I respectfully recommend prompt consideration and passage by you of the accompanying order.

Respectfully,
MAURICE J. TOBIN, Mayor.

An Order Determining to Cooperate with the Boston Housing Authority and Approving a Form of Contract with said Housing Authority with Respect Thereto, and Authorizing the Execution Thereof.

Ordered by the City Council of the City of Boston, Massachusetts:

Section 1. That the City hereby determines to cooperate with the Boston Housing Authority (herein called the "Authority") in the development and administration of low-rent housing projects (herein called "Projects") by aiding the Authority in its efforts to eliminate unsafe and insanitary dwelling units within the territorial limits of the City equal to the number of newly-constructed dwelling units to be provided by the Projects, less the number, if any, of any unsafe or insanitary dwelling units to be eliminated from the site or sites of the Projects by the Authority during the development of the Projects, and further to cooperate with the Authority by furnishing customary municipal services and facilities for the Projects without cost or charge except that annual payments shall be made in lieu of taxes, betterments and special assessments as more fully provided in the contract herein set forth and by not levying, imposing or charging any taxes, betterments or special assessments or charges against the Projects or against the Authority except that payments for performing certain work shall be made as more fully provided in the contract herein set forth and otherwise to cooperate and assist in the development and administration of the Projects as more fully provided in the contract herein set forth.

Section 2. That the City shall enter into a contract with the Authority in the following form:

Cooperation Agreement between the City of Boston, Massachusetts, and the Boston Housing Authority.

In consideration of the mutual promises of the City of Boston, Massachusetts (herein called the "City"), and the Boston Housing Authority (herein called the "Authority") hereinafter set forth, the City and Authority agree as follows:

1. The following terms, whenever used in this Agreement, shall have the following meaning:

(a) The term "Local Annual Contribution for any year" shall mean an amount equal to:

(i) the amount which the City would levy for that year (by means of taxes, betterments and special assessments on or with respect to the Project) if the Project were constructed and operated by private enterprise and subject to normal taxation and assessment, less

(ii) the payment in lieu of taxes, betterments and special assessments which the Authority agrees herein to make for that year.

(b) The term "Federal Annual Contribution" shall mean the fixed amount of annual contribution payable to the Authority by the United States Housing Authority for the purpose of aiding the Authority in achieving and maintaining the low-rent character of each Project.

(c) The term "cooperation period" shall mean the period during which any of the bonds or other obligations issued to aid in financing the development of each Project (or bonds or other obligations issued to refund such bonds or obligations) shall remain outstanding.

(d) The term "Projects" as used in this Agreement shall mean any low-rent housing projects having an aggregate development cost of not in excess of Twenty-seven Million Dollars (\$27,000,000) now or hereafter undertaken within the City by the Authority with respect to which a contract or contracts for Federal Annual Contributions have been made, or will be made within one year from the date hereof, with the United States Housing Authority. The term "Project" shall mean any one of such Projects which is to be aided under a single Annual Contributions Contract between the Authority and the United States Housing Authority relating solely to annual contributions on that particular project.

(e) The term "shelter rent" as used in this agreement shall mean the amount paid by each tenant for the occupancy of a dwelling unit in any Project, but not including a charge for light, fuel, gas, electric current, heat or any other similar service except water, which might be included in the rent paid by such tenants.

(f) The term "unsafe or insanitary dwelling units" as used in this agreement shall mean such dwelling units which are detrimental to safety, health or morals by reason of dilapidation, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors.

2. The City agrees that unsafe or insanitary dwelling units within the territorial limits of the City of a number equal to the number of new dwelling units to be provided in the low-rent housing Projects (herein collectively called the "Projects"), which term is more specifically defined in paragraph 1) to be undertaken by the Authority (less the number, if any, of unsafe or insanitary dwelling units to be eliminated from the site or sites of the Projects by the Authority during the development of the Projects), will be eliminated within the territorial limits of the City.

3. The City agrees that such unsafe or insanitary dwelling units will be eliminated in one or more of the following ways:

(a) By the demolition or effective closing of unsafe or insanitary dwelling units which are on land acquired by the City by purchase, by foreclosure of a tax title or titles, or otherwise; or

(b) By compulsory demolition or effective closing of unsafe and insanitary dwelling units by proper public boards or officers; or

(c) By inducing private owners voluntarily to demolish or effectively close such dwelling units.

4. In computing the number of unsafe or insanitary dwelling units eliminated under the terms of this Agreement, there shall be included all unsafe or insanitary dwelling units eliminated in the manner specified above, under this Agreement from the date hereof; provided, however, that all unsafe or insanitary dwelling units eliminated

by the City or proper public boards or officers since September 1, 1937, will be counted as elimination under this Agreement if the Authority is satisfied that such elimination was undertaken in anticipation of the execution of this Agreement.

5. The Authority agrees:

(a) To advise the officers or boards in charge of appropriate departments of the City of the existence of any unsafe or insanitary dwelling units in the City, which the Authority finds as a result of its surveys or studies;

(b) To make reports to the City, from time to time, regarding such matters; and

(c) To cooperate with the City in securing the elimination of unsafe or insanitary dwelling units required hereunder.

6. The City agrees that its officers or boards in charge of appropriate departments will make reports to the Authority from time to time regarding:

(a) The action taken by the City or by public boards or officers in the elimination or repair of unsafe or insanitary dwelling units hereunder;

(b) The dates of such action;

(c) The location of such dwelling units; and

(d) The condition of such dwelling units which made them unsafe or insanitary.

7. The Authority and the City agree that the elimination of unsafe or insanitary dwelling units undertaken and required hereunder shall be considered as a part of the Projects.

8. The City agrees that the elimination of unsafe or insanitary dwelling units required hereunder will be completed at such a rate that, in connection with each Project, a number at least equal to the number of new dwelling units constructed in each Project shall be eliminated within one (1) year from the date of the physical completion of that Project.

9. Subject to the terms and conditions of this Agreement, the Authority agrees to pay to the City on or before the first day of February of each year, beginning with the year following the physical completion of each Project or any part thereof, a sum equivalent to four and three quarters per cent (4-3/4%) of the total shelter rent collected by the Authority during the preceding calendar year in or from such Project, such payments to be in lieu of taxes, betterments, and special assessments on or with respect to such Project and to continue annually during the cooperation period, provided, however, that such annual payments shall in no event exceed the amount that would be levied at the current tax rate upon the average of the assessed value of the real estate constituting the site of such Project, including buildings and other structures, over the three years preceding the acquisition thereof, the valuation of each year being reduced by all abatements thereon.

10. The City agrees that during the period commencing with the date of the acquisition of any part of the site or sites for each Project and continuing throughout the cooperation period of such Project it will not levy, impose or charge any taxes, betterments, special assessments or other charges for municipal improvements, services and facilities against such Project, or against the Authority for or with respect to such Project, except charges for water, the payments in lieu of taxes, betterments and special assessments provided for in paragraph 9 hereof, and the payments provided for in paragraph 15 hereof, and that it will waive or cause to be waived any and all building and inspection fees in connection with the construction and operation of any Project.

11. In the event a Local Annual Contribution for any year shall equal an amount which is less than twenty per centum (20%) of the Federal Annual Contribution for that year, and such deficiency is not supplied by cash furnished for the Project by the Commonwealth of Massachusetts or any political sub-division thereof in which the Project is situated, then and in that event the City waives the right to such portion of the amount payable in lieu of taxes, betterments or special assessments for that year as is necessary to assure that the Local Annual Contribution for that year will be equal, as near as may be, to twenty per centum (20%) of the Federal Annual Contribution for that year.

12. The City agrees that, during the period commencing with the date of the acquisition of any part of the site or sites for any Project and continuing throughout the cooperation period

of such Project, it will furnish, without cost or charge to the Authority or the tenants thereof, except the annual payments in lieu of taxes, betterments and special assessments provided for in paragraph 9, municipal services and facilities for such Project and the tenants thereof, of the same character as those furnished customarily without cost or charge for other dwellings and inhabitants in the City, including but not limited to: fire, police and health protection and services, street maintenance, snow removal, garbage, trash and ash collection and disposal, street lighting on public streets within any Project and the boundaries thereof, and sewage disposal and other municipal services.

13. The City agrees to recommend to the proper boards or officers the planning or replanning, zoning or rezoning to an appropriate site and neighborhood classification, any area in the City within which any Project shall be located, and it also agrees that any streets, roads, roadways, alleys, sidewalks or other places located in the area of such Project or adjacent thereto, will be vacated and closed and the title thereof, if in the City, conveyed to the Authority, to the extent that the Authority finds that such action is necessary in the development of said Project and that such action will be taken by the City within a reasonable time after receipt of a written request therefor from the Authority.

14. The Authority agrees to dedicate, and the City agrees that there will be accepted for municipal purposes, land which may be owned or acquired by the Authority and which the Authority determines to use for streets and ways within the boundaries of the Projects or for the purpose of providing ingress thereto and egress therefrom.

15. The City agrees to lay and construct sewers and to furnish, pave, install, grade or regrade any public ways, streets, roadways and sidewalks located in the area of any Project or adjacent thereto and which the Authority finds are necessary in the development of such Project. The Authority agrees to pay to the City the cost of performing such work provided for in this paragraph (including the cost of all materials and supervision) for which the City could levy special assessments or betterments if the Project were constructed and operated by private enterprise and subject to the normal levying of special assessments or betterments, the amounts and manner of payment to be agreed upon by and between the Mayor of the City and the Authority.

16. Nothing in this Agreement shall be construed as limiting the power of the City to furnish aid and cooperation other than and in addition to the matters more particularly described in this Agreement.

17. The Authority agrees that it will use its best efforts to develop the Projects as rapidly as possible, to operate and maintain such Projects for families of low income, and to keep the City fully informed as to the status of the Projects to the end that sub-standard areas may be cleared and that there may be a supply of housing for families of low income.

18. In consideration of the agreements by the City contained in this Agreement, the Authority further agrees that at the time of the termination of the cooperation period for each Project, or within a reasonable period thereafter, it will convey to the City all of the right, title and interest of the Authority in the real estate and tangible personal property of such Project at such time, without any compensation therefor.

19. The City consents to the assignment of this Agreement by the Authority for the protection of the holders of any bonds issued to aid in financing the development of the Projects.

20. This Agreement shall continue in full force and effect with respect to each Project so long as the title thereto (except for the lien or title conveyed to the Trustee under the Indenture securing bonds issued to aid in the development of such Project) is held by the Authority or some other public body or agency of the Commonwealth, and until the conveyance to the City of the real estate and tangible personal property of such Project as provided for in paragraph 18 hereof.

Section 3. That the Mayor and the City Clerk of the City of Boston, Massachusetts, are hereby authorized to execute in triplicate and to deliver on behalf of the City a contract in the form set forth in Section 2 hereof.

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Gertrude Bagguley, for compensation for damage to car by fire apparatus.

Joseph A. Cicco, for refund on tax bill.

County Coal Company, for compensation for damage to property at 55 Hall street, caused by city truck.

Neil P. Coyle, to be reimbursed for execution issued against him.

Joseph H. Farren, for compensation for damage to property at 45 East Springfield street, caused by water shut off.

Charles E. Gallagher, for compensation for property stolen at Columbus Park.

Arthur A. Gleason, to be reimbursed for judgment issued against him.

Freida Green, for compensation for injuries caused by an alleged defect in Columbia road.

Ella F. Hanlon, for compensation for injuries caused by an alleged defect at 439 Market street, Brighton.

Mrs. C. L. Lawton, for daughter, for compensation for damage to car caused by an alleged defect in Warren street, Roxbury.

John J. Madden, to be reimbursed for judgment issued against him.

Mrs. Joseph S. McCabe, for compensation for injuries caused by an alleged defect in Canal street.

James Mouhtouris, for compensation for damage to property at 374A Tremont street, caused by leak in water pipe.

Agnes Norris, for compensation for injuries caused by an alleged defect in Sixth street.

Rose Norton, for compensation for injuries caused by an alleged defect at Clifford and Warren streets.

Catherine Palmer, for compensation for injuries caused by police car.

Dora V. Parker, for compensation for injuries caused by an alleged defect at 615 Centre street.

James C. Semple, for compensation for damage to car caused by an alleged defect in Westchester road.

Beatrice Shellmer, for compensation for injuries caused by an alleged defect in Gordon avenue.

Albert E. Stevens, for compensation for damage to car by city truck.

Letizia Vitale, for compensation for damage to property at 108 Princeton street, caused by W. P. A. men removing tree.

William A. White, to be reimbursed for execution issued against him.

Executive.

Petitions for special permit for driveway openings, as follows:

Estate of Eben D. Jordan, 473 Atlantic avenue.
Singer Sewing Machine Company, 180 Purchase street.

Liberty Realty Trust, 600 Centre street.

Estate of Eben D. Jordan, 47 Broad street.

Gulf Oil Corporation, 103 Kneeland street.

Thomas F. Friel, 34 Billerica street.

Petition of Gertrude C. S. Galvin to be paid an annuity on account of death of her husband, Maurice L. Galvin, late member of Fire Department.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles from junction of Commonwealth avenue and Brighton avenue, over Commonwealth avenue to the Boston-Newton line, thence over Commonwealth avenue, Chestnut Hill avenue, Cleveland Circle and Beacon street to the Boston-Brookline line, and from the Boston-Brookline line on Beacon street at St. Mary's street to Kenmore square, over Beacon street and Kenmore square, return over reverse route. (To be operated only between the hours of 12 midnight and 6 a. m.)

ORGANIZATION OF BOSTON HOUSING AUTHORITY.

Notice was received from the Boston Housing Authority of organization on October 13, 1938, as follows:

Chairman, John A. Breen (elected February 19, 1938).

Vice Chairman, Rev. Thomas R. Reynolds (elected September 8, 1938).

Treasurer, Bradbury F. Cushing (elected April 7, 1938).

Assistant Treasurer, Rev. Thomas R. Reynolds (elected July 7, 1938).

Secretary and Executive Director, Francis X. Lane (elected March 24, 1938).

General Counsel, Lewis H. Weinstein (elected September 29, 1938).

The members of the Authority, in addition to Messrs. Breen and Cushing and Rev. Thomas R. Reynolds, are John Carroll and Harold Field Kellogg.

Placed on file.

TAKING BY METROPOLITAN DISTRICT COMMISSION.

A communication was received from the Metropolitan District Commission with copy of taking from city of portion of Centre street at West Roxbury Parkway, together with form of concurrence to be executed and returned to commission before November 2, 1938.

Referred to Executive Committee.

ASSIGNMENT OF JUDGES.

Notice was received from the Chief Justice of the Supreme Judicial Court assigning 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, 1938, also assigning Mayhew R. Hitch of New Bedford to service on Administrative Committee of the Probate Courts for term expiring October 1, 1941.

Placed on file.

MINORS' LICENSES.

Petitions for minors' licenses were received from twenty-nine newsboys and eleven bootblacks. Licenses granted, under the usual conditions.

CALL FOR STATE ELECTION.

President KERRIGAN 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 eighth day of November, 1938, for the election of Governor, Lieutenant-Governor, Secretary, Treasurer, Auditor, Attorney-General, Representatives in Congress, Councilor, Senator, Representatives in General Court, District Attorney and Sheriff; also to give in their votes "Yes" or "No" on the following questions:

1. Proposed Amendment to the Constitution: Shall an amendment to the Constitution providing for biennial sessions of the General Court and for a biennial budget, which is further described as follows: This amendment annuls all existing provisions of the Constitution and its prior amendments which require annual sessions of the General Court, commonly known as the Legislature, and provides for biennial sessions in their place. It also provides that the budget of all proposed expenditures of the Commonwealth shall be so prepared as to cover two fiscal years instead on only one as at present required,—which proposed amendment was approved by the General Court and in a joint session of the two branches held May 27, 1936, received 141 votes in the affirmative and 117 in the negative, and in a joint session of the two branches held May 19, 1937, received 158 votes in the affirmative and 112 in the negative,—be approved?

2. Law Proposed by Initiative Petition: Shall the proposed measure which provides that in any city or town which accepts its terms, the licensing authorities shall establish free public taxicab stands for the use of all taxicabs and motor vehicles for hire whose owners are licensed within such city or town, and shall abolish all other forms of taxicab stands on any public highway within such city or town,—which was disapproved in the House of Representatives by a vote of 95 in the affirmative and 109 in the negative

and in the Senate by a vote of 4 in the affirmative and 35 in the negative,—be approved?

3. To obtain a full expression of opinion, voters should vote on all three of the following questions:

(a) If a voter desires to permit the sale in this city of any and all alcoholic beverages to be drunk on and off the premises where sold, he will vote "Yes" on all three questions.

(b) If he desires to permit the sale herein of wines and malt beverages only to be drunk on and off the premises where sold, he will vote "No" on question one, "Yes" on question two and "No" on question three.

(c) If he desires to permit the sale herein of all alcoholic beverages but only in packages, so called, not to be drunk on the premises where sold, he will vote "No" on questions one and two and "Yes" on question three.

(d) If he desires to permit the sale herein of wines and malt beverages to be drunk on and off the premises where sold and, in addition, other alcoholic beverages but only in packages, so called, not to be drunk on the premises where sold, he will vote "No" on question one and "Yes" on questions two and three.

(e) If he desires to prohibit the sale herein of any and all alcoholic beverages whether to be drunk on or off the premises where sold, he will vote "No" on all three questions.

1. Shall licenses be granted in this city for the sale therein of all alcoholic beverages (whisky, 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?

4. 1. Shall the pari-mutuel system of betting on licensed horse races be permitted in this county?

2. Shall the pari-mutuel system of betting on licensed dog races be permitted in this county?

5. In all Suffolk County Representative Districts:

Shall the Representative to the General Court from this district be instructed to vote in favor of legislation barring from employment, in the public service, married women whose husbands are employed?

6. In the 12th, 18th, 19th and 20th Suffolk Representative Districts:

Shall the Representatives from this district be instructed to vote for legislation prohibiting cities and towns from contributing taxpayers' money toward the construction and maintenance of government subsidized, tax free, apartment houses, or local boards of housing authorities?

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.

Passed under suspension of the rule.

EMPLOYMENT OF TEMPORARY ASSISTANCE.

President KERRIGAN offered the following:

Ordered, That the President be authorized to employ such temporary assistance, to date from October 5, 1938, as may be required to dispose of the accumulated emergency work of the City Council departments; the expense to be charged to the appropriate item in the City Council appropriations.

Passed under suspension of the rule.

SUSPENSION OF CERTAIN SECTIONS OF GENERAL LAWS.

President KERRIGAN offered the following:

Ordered, That the provisions of sections 55, 56 and 57 of chapter 54 of the General Laws be, and hereby are, suspended and made inapplicable as to the several questions to be voted upon at the State Election to be held on November 8, 1938.

Passed under suspension of the rule.

SHORING UP OF BUILDING.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor instruct the Building Commissioner to proceed at once to shore up the building at the corner of Laconia and Washington streets, and that Laconia street, which is now roped off, be open to travel and the debris be removed at once.

Passed under suspension of the rule.

RAZING OF WARD 1 BUILDING.

Coun. IRWIN offered the following:

Ordered, That the Building Commissioner be requested, through his Honor the Mayor, to raze the building at 109 and 111 Webster street, Ward 1, in order to remove a fire hazard which exists there.

Coun. IRWIN—Mr. President, during the past week there has been a series of fires at this location. In fact, there has been a total number of seven, and the police, using all the power they could, have tried to find out who the incendiaries are, with no avail. The property is not owned by the City of Boston, but there are many tenement houses in the vicinity where large families reside, and there is a serious menace to the public. The people of that neighborhood have circulated a petition to see if something cannot be done to stop these fires. Certainly, steps should be taken to furnish some means of relief to the people in the neighborhood. I trust, therefore, that the order will be passed and that some steps will be taken to prevent that sort of thing in the future.

The order was passed under suspension of the rule.

GENERAL MEDICAL HOSPITAL FOR VETERANS.

Coun. IRWIN offered the following:

Resolved, That the City Council go on record as in favor of the erection of a general medical hospital for veterans in the City of Boston, and that copies of this order be sent to the Federal Board of Hospitalization.

Coun. IRWIN—Mr. President, every veteran's organization is heartily in accord with the object of this resolution, and numerous members of the Legislature have already expressed their desire to have such a general medical hospital for veterans as is here proposed erected in the City of Boston. The procedure of a veteran applying for such help is through the Boston Federal Bureau, and the nearest hospital at the present time is in Connecticut. Those making application at the present time usually have to wait ten or fifteen days before relief can be given. As a matter of fact, 55 per cent of the veterans in New England reside within an hour's ride of Boston. If such a hospital is installed here, it will probably not cost one cent of money to the city, being put up by the Federal Government. I certainly think, with 55 per cent of the veterans, as I say, living within a short radius of Boston, this order should pass, and that we should have here a hospital for veterans.

The order was passed under suspension of the rule.

SOLDIERS' AID.

Coun. IRWIN, for the Committee on Soldiers' Relief, submitted report recommending passage of order for a 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.

RESURFACING OF ROSEMARY STREET.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Rosemary street, Ward 11, under the W. P. A. plan of construction.

Passed under suspension of the rule.

"COLLECT" TELEGRAMS TO TAXPAYERS.

Coun. TAYLOR offered the following:

Ordered, That the Collector of Taxes be advised by his Honor the Mayor to instruct the constables of the City of Boston to refrain from sending "collect" telegrams to the taxpayers for the purpose of collecting taxes.

Coun. TAYLOR—Mr. President, it appears that a certain constable is using a new form of high-pressure tax collecting from taxpayers in the City of Boston. I have in my possession a telegram sent to a taxpayer "Collect." I will not mention the names of the taxpayer or of the constable, but the telegram reads as follows: "You have been given sufficient time to arrange settlement of excise tax which you have evaded, and have ignored every notice sent to you. This is the last warning you will receive. We will proceed to collect the amount due, under the law, within forty-eight hours." That is signed by the constable. I am informed that over nine hundred of these telegrams have been sent out. I assume that the reason why many people do not pay their taxes is on account of unfortunate financial circumstances over which they have no control. Many of these people, who very likely have not sufficient money to provide for their children and families, have to pay 50 cents for that "collect" telegram. This is an outrageous method of collecting taxes, imposing on the unfortunate people a financial burden. Many, of course, are frightened when they receive such a telegram, not knowing what the contents are and thinking that something may have happened to one of their families, and pay for the telegram when they are not in a financial position to do so. The city should not employ, and should not allow constables to employ, this high-pressure method of collecting taxes, and I believe the Mayor should instruct the Collector of Taxes to that effect and that he, in turn, should advise the constables who employ such a procedure that the City of Boston does not wish to have such a method used by this particular constable or any other person.

The order was passed under suspension of the rule.

PAYMENT OF EXCISE TAXES.

Coun. TAYLOR offered the following:

Ordered, That the Collector of Taxes be requested by his Honor the Mayor to extend the time for payment of excise taxes to November 1st.

Coun. TAYLOR—Mr. President, a new law has gone into effect this year whereby the people of the City of Boston who own automobiles must pay their excise taxes by October 15 or else lose their registration through the Register of Motor Vehicles. While it is a good law, and I have no complaint to make of it, nevertheless, it is a new law as far as the citizens are concerned. They are unfamiliar with it. It is the first time they have ever seen such a law, and they will perhaps be more negligent at first than when they become familiar with the law. I certainly believe, under the circumstances, that it will not do the city any harm to give the delinquents until November 1st to pay their excise taxes.

The order was passed under suspension of the rule.

JEWISH IMMIGRATION INTO PALESTINE.

Coun. NORTON, TAYLOR and ROSENBERG offered the following:

Whereas, It is reported that there is great danger that England may abandon its promises expressed in the Balfour declaration to establish a homeland for the Jews in Palestine; and

Whereas, It is reported that England is about to stop further Jewish immigration into Palestine; and

Whereas, The United States entered into an agreement with Britain which guaranteed to the United States and its citizens all rights and privileges of residence and commerce in Palestine and further guaranteed that there would be no changes in the mandate for the establishment of a Jewish homeland in Palestine without the consent of the United States; and

Whereas, Thousands of citizens of Boston are of the Jewish faith, and have near kin and relatives seeking refuge in Palestine; now therefore be it

Resolved by the Council of the City of Boston, That we respectfully memorialize President

Roosevelt and Secretary of State Hull to request the British Government to carry out the terms of the Balfour agreement in the interests of humanity, tolerance and justice.

Referred to the Committee on Rules.

BUS ROUTES IN SUBURBAN AREAS.

Coun. NORTON offered the following:

Ordered, That the Boston Elevated Railway, through his Honor the Mayor, be requested to consider the advisability of running buses over convenient routes in suburban areas.

Coun. NORTON—Mr. President, in the suburban areas—I have in mind instances in my own section—citizens frequently at the present time have to walk half a mile or a mile to get a street railway connection. There are thousands of homes in the suburban areas of Boston where people have to do this in order to reach a street car or bus, perhaps to a circumferential highway. I believe, therefore, that the Boston Elevated should consider some possible solution of this problem and attempt to work out some plan whereby the people of Ward 18 or other suburban sections may not have to walk a mile to get to the nearest Elevated car or bus. It does seem as though some program of the sort might be worked out in Boston without too great cost.

The order was passed under suspension of the rule.

ACCEPTANCE OF SAFFORD STREET.

Coun. NORTON offered the following:

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to accept and lay out Safford street, off Wood avenue, Ward 18.

Coun. NORTON—Mr. President, Safford street happens to be a street in one section of my ward, and if that street is accepted and laid out it will be for the welfare of the people in a parish on that street. Otherwise, the people will have to walk half a mile to get to their particular church.

The order was passed under suspension of the rule.

MUNICIPAL BUILDING, BRIGHTON.

Coun. SULLIVAN offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to survey the possibilities of changing the premises now occupied as an abandoned fire station on Chestnut Hill avenue, Brighton, into a municipal building, under the W. P. A. type of construction.

Coun. SULLIVAN—Mr. President, I believe this building, now an abandoned fire station on Chestnut Hill avenue, Brighton, might well be taken over as a municipal building. It is at least worthy of serious consideration. I believe such action would greatly aid the social activities of the young people of our district and might also bring in much business that is now going to Milton, Cambridge and surrounding communities. I certainly trust that the Superintendent of Public Buildings, through his Honor the Mayor, will at least survey the possibilities, and trust that a favorable report will be received, looking to the construction of such a municipal building under the W. P. A. type of construction.

The order was passed under suspension of the rule.

W. P. A. QUOTA FOR BOSTON.

Coun. AGNEW offered the following:

Ordered, That the W. P. A. authorities be requested, through his Honor the Mayor, to increase the W. P. A. quota for the City of Boston to fifty thousand.

Coun. AGNEW—Mr. President, it is my understanding that at the present time there are approximately 26,000 employed on W. P. A. in the City of Boston. But it must seem at times, particularly to members of the City Council, that no more than 2,600 are so employed, when the applications for such employment which are brought to our attention are considered. Day in and day out, we find people seeking work, trying to get on to W. P. A., people badly in need of employment,

who ask councilors, who are unable to do anything for them, to help them. I suppose there is a duty on various department heads to offer projects to the W. P. A. which might be acceptable. I assume, of course, that there will be some expense to the city so far as materials are concerned. Nevertheless, we should do something for these people in our city who are anxious to obtain an opportunity to earn a day's pay honestly. Certainly, as compared with other cities of the country, our demands upon W. P. A. are not large at the present time. I believe if our quota here were increased to 50,000 it would still be well within bounds. Therefore, I feel that his Honor the Mayor should in the near future take steps looking to the increase of the W. P. A. quota for the city to 50,000, regardless of what the minor expense to the city may be. In any event, it would be a worthwhile expenditure with which nobody could find any fault. Something must be done for the unemployed, particularly those working for the W. P. A. We all know of many of these people who are walking our streets hack and forth, day in and day out, and getting nowhere. I think all members of the Council will be heartily in accord with this order, because they must all be in the same position that I am—more than willing to do something for the unemployed, but unable to do so because of the red tape and strings attached to the application and the procedure before a person is able to be assigned. Investigation is made, applications then have to go to Washington and they lie there for some time after we have done our best at 600 Washington street to have something done. We have on our calendar today, for instance, a project to be transferred from the Library Department to the Sanatorium Division of the Hospital Department, amounting to \$15,000. The Library Department, when it came in with its budget, thought that this amount was necessary for a W. P. A. project, but it seems now that, for some reason, the \$15,000 is not to be so spent. In my opinion, a project could have been offered under which this \$15,000 could be spent, and men put to work. I would not speak for the employment of men alone on W. P. A., but also for young women and girls, for whom today W. P. A. is doing nothing of importance. I trust that this order will be taken seriously by his Honor the Mayor and that something will be done along the line of enlarging opportunities for the unemployed in this city on Federal projects.

Coun. NORTON—Mr. President, I very much approve of the order offered by the councilor from Brighton. I am one of those who feel that we should thank the Almighty for every man placed at work in Boston today by the national administration. I remember a few years ago that a chief executive of this Commonwealth said to the national government, "We don't want your assistance. Massachusetts can take care of its own needs." Well, today there are 100,000 men and women walking our streets unemployed, and if it were not for what the administration has done, we would be in a very serious situation. The reason why we have not 50,000 people working in Boston on W. P. A. is this, that there has been a strong, powerful element in this city which says that anything that comes from Washington is had, telling people to stay away from it. We have to fight on the floor of this Council for free milk and for other help to the poor of the city. Our little children are not getting enough to eat. Some of these people tell the administration, "We don't want it; the people don't need it." We find, going around the city, unfortunates who are hungry, who want work and cannot get it. There are but 25,000 working on W. P. A. in this city, where there should be at least 50,000 and still these same people are talking disparagingly of W. P. A. and saying that whatever is done should be by local effort. It is that kind of talk that destroys this whole set-up. We should have at once 50,000 men at least on W. P. A. in the City of Boston, and I feel sure that his Honor the Mayor will do his best in this matter. He has done more along this line than any Mayor in previous years, with the Federal Government. It is unfortunate, however, that we have to contend with this opposing element, that we have to fight in order to get anything done. In some of our suburban towns they say they don't want help from Washington, and the same attitude will be taken, I fear, in Boston, when a suggestion is made that 50,000 men be put on W. P. A. here. In spite of this opposition, in spite of the fact that there is this strong sentiment against W. P. A.

we have 100,000 unemployed people walking the streets of Boston, and all the members here, all within the sound of my voice, know what a serious situation we are facing. Certainly, anybody knowing the facts should have something nice to say of President Roosevelt; and, personally, in view of the attitude the President has taken, I would be willing to kiss the ground he walks on.

Coun. WILSON—Mr. President, while not in opposition to this order, I would like to take exception to some of the remarks that have been made. While not willing to kiss the ground the President walks on, I frankly admit that I might be tempted to more heartily second the remarks of the gentleman from Hyde Park with regard to the administration if I did not recall that, as brought out at a former meeting of the City Council, the figures showed that the Washington administration paid \$96 out of every \$100 spent for work relief in the State of Florida, a large part of which money was furnished by Massachusetts and other North Atlantic states; that in the State of Alabama the United States Government pays \$98.50 out of every \$100 for the relief in that state, and that from 1934 and 1935 the State of Florida has paid not one dime of its own money in any city or town of the state for such purposes, but that the Federal administration has spent \$54,000,000, largely raised in New England and the other North Atlantic states, but chiefly spent in the states of the South, while only \$69.50 of the amount spent in Massachusetts comes from the Federal Government. So, while not wanting to be regarded as opposed to this proposed plan, I do feel that such facts should be recognized.

Coun. NORTON—For purposes of the record I would like simply to say that if the Federal Government does spend \$98.50 out of \$100 that is spent for relief in certain southern states, it is simply because those states represent the poorest area in all America. The poverty there is double what it is here in Boston. There are more poor people in those sections than in any other section in America, and the housing in certain sections of the South can only be compared with that in some of the pauper districts of Europe. So that is the explanation of large expenditures in those areas. That is the poorest section of America, where hundreds of thousands of children have suffered terribly from pellagra, a disease that is caused by their not getting proper food. But, of course, the poor in any section of America must be taken care of as well as possible. They cannot be taken care of in such sections by the states themselves. We now have a President who is trying to see that nobody starves or suffers from deprivation of the necessities of life, so far as is possible. We did have a Democratic President, Grover Cleveland, who said that it was not the business of the Federal Government to prevent starvation. But this President has gone down the line and attempted to do something where state governments refused or were unable to feed negro children and poor white children, referred to as "white trash." This man has gone down through, where the state and local governments have said, "No." The President of the United States has said, "I am interested, because I think no one in America should starve," and he has committed himself to the doctrine of philanthropy where it is needed anywhere in the United States on the part of the Federal Government. Yes, the Federal Government has interested itself, as the councilor has said, and why shouldn't it? I hope the time will never come when we will have an equally bad situation in Boston, but if it does, and there are people starving here, I would like to think that we have a Federal Government that, if the occasion demands it, will spend 98 cents out of every dollar that is spent in this section of the United States today.

Coun. SHATTUCK—Mr. President, it is my impression that the State of Florida has no inheritance tax and no income tax and no debt. In other words, it obtains the money for its welfare hills, practically 100 per cent, from the Federal Government.

Coun. NORTON—Mr. President, when I was a boy I learned that in the early days in Massachusetts conservative politicians were against expenditures for general schools. They said, "No, they cost too much." My father and grandfather were uneducated, but they had just as good an intellect and mentality as I have. But they were refused advantages that nowadays everyone has. Fortunately, in 1847 and 1848, Horace Mann, who

bad devoted his life to reforms in the school system of Massachusetts, succeeded in having our schools placed on a broad, popular basis, for the benefit of the general public. But even then this same conservative element in the community objected, because it would make taxation too high. They simply said that it would mean more taxes. When we opened up the Boston City Hospital, in 1860, if you will look at the old records, you will see the objections that were raised, to the effect that we were pauperizing the country. In other words, if these stand-pat conservatives had been listened to, we would have none of the progressive measures and institutions that we have today. Of course, I see the force of the councilor's argument, from one point of view. It is true that people can go to Florida and be free from the state and local taxation that they would have in other states. Why should a man who made a million dollars last year go to Florida and get away from an income tax? It is unfair and unjust for him to go there, where he can only be taxed by the Federal Government. But that is no reason why the poor people there should suffer, and when the Federal Government says, "Let no person in the United States starve," why should we criticize the Federal Government for performing a laudable duty?

Coun. CAREY—Mr. President, I am heartily in accord with the order offered by Councilor Agnew. It is a crying shame, with the large number out of employment, with the middle-aged men and women, and the young men and women desperately in need of work and coming to their councilors seven nights in the week and continually appealing to us in City Hall day after day, people who are eligible for W. P. A. employment but who are unable to get it, that something more than is being done should not be done. The fact is that many needy cases cannot get work, and certainly with winter coming on something should be done for those in need, and it should be done promptly. I would like to suggest at this time that in the near future there should be more projects carried on by department heads, that there should be an addition to the manual projects, for example. There are many young men and young women who have been sent to school and college to acquire knowledge which should make them useful in different lines of employment. They are now adrift and there seems to be little help for many of them. There should also be additional opportunities afforded in sewing projects and other work of that sort to women and children. Therefore, I believe that there should be provision made for 50,000 at least in this city under W. P. A. and if necessary even additional employment should be given, and I think there should be immediate action on this and other orders of the kind.

Coun. TAYLOR—Mr. President, I am thoroughly in favor of Councilor Agnew's order. It is, of course, a fact, as the councilor from the Back Bay (Coun. Shattuck) has said, that the State of Florida is a haven for those who wish to escape income and inheritance taxes. That is an indictment against the State of Florida because the reason why the State of Florida has no income tax is because it has been unwilling to provide for those who need assistance. They do not spend their money for those who need it, and those who have the money are saved from paying any of it out in the way of state or local taxes for the benefit of those who are suffering. The fact, however, that they do refuse to provide for those people is no indication that the State of Florida is more successful or happier than this state. As a matter of fact, however, the people of the lower class there are miserable, living in shacks, their only hope being from the President of the United States, who properly takes the ground that the Federal Government should provide for those who are in such need. And I believe that we here in Boston, who see the light of day, should be glad to help such efforts as far as we can.

Coun. IRWIN—Mr. President, I don't care to talk on this order, but I could not help, when the gentleman from Hyde Park (Coun. Norton) was advocating the passage of the order, thinking of the time when he was willing to stand here and take the ground that people in East Boston and the North End did not need a relief hospital and that money could be saved by not continuing it. So I just wondered why, when that relief station question came up in the Council he opposed it.

Coun. NORTON—Mr. President, I was largely influenced in my position on that relief station

when the present Mayor of Boston came in and stated that it could be dispensed with without interfering with the health of one person in East Boston. And I understood that the Haymarket Relief Station could be dispensed with without interfering with the health of one person in this city. The Mayor of Boston, upon entering office, made that recommendation to the Council. I, for one, was willing to give him a chance to try it out. If you can bring evidence that the closing of the relief station has resulted in injury to one person, I shall be perfectly willing to admit that I was wrong. I am in favor of public hospitals and I am in favor of the position of the Federal Government in these serious days, that nobody in this country shall starve. There has been one case here in our membership since our action upon the relief hospital, of an injury in East Boston that should have been attended to. As a result of that case I personally asked the Mayor of Boston to see if a study could not be made with a view to seeing whether it would not be possible to put a doctor, a nurse and a few beds back, perhaps on the lower story of this hospital, to attend to such cases. That would mean no additional expense to the city—a few beds, a doctor, a nurse and an interne. I have personally requested the Mayor of Boston to make an examination and see if it is not possible to have some small service of that kind in that building. I am not against hospitals, councilor. It was simply a question, when the new Mayor came in, of saving money by discontinuing a service that was not really necessary. I believe, if it now appears that such action is required because of the situation in East Boston, it might be well, as I say, to have a doctor, a nurse and a few beds, for the benefit of that particular section. Then, perhaps, in the rest of the building might be a sewing room and other activities, such as are carried on in some of the municipal buildings. But that is a situation that I have been watching very carefully and checking up on.

Coun. FITZGERALD—Mr. President, I am very glad to hear Councilor Norton make that statement in regard to hospitalization and say that when he took that action he was governed by the action of the Mayor and did not know what might happen. But he now sees what has happened, and we are able to see today what the public are up against. The closing of such hospitals means something more than a saving in dollars and cents. We had occasion to see recently what can sometimes happen at the hand of the Lord, and the necessity for being provided with hospital accommodations to take care of sudden emergencies. There has been and is need of that Haymarket Relief Station and when such places are wiped out something is sure to come up to cause regret and to make us realize that we have got to pay the penalty.

Coun. NORTON—Mr. President, I would suggest to the gentlemen from Ward 1 and Ward 3 (Coun. Irwin and Fitzgerald) that a delegation wait on the Mayor with regard to this matter. I have notes from East Boston of five cases of long-shoremen hurt on the docks. I think possibly the other gentlemen have information to add to mine. We also had a practical case affecting a member of this body. A long period has elapsed since we took action in regard to the hospital, and certain cases have arisen since. I will change my opinion in two seconds when you show me facts indicating that I should. I have asked individuals on the docks in East Boston to keep a record of accidents that may occur. I am inclined to think that it would be well for us to go to the Mayor and bring up these cases, with a view to opening up the situation to a certain extent, at least providing for a doctor, nurses and a couple of beds. I think that can be done without the expenditure of a single dollar on the part of the hospital system of the City of Boston, and I shall be glad to assist in any way I can, with the information I can obtain.

The order was passed under suspension of the rule.

RESURFACING OF CLAREMONT STREET.

Coun. CHASE offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to re-surface Claremont street, Ward 4, under the W. P. A. plan of construction.

Passed under suspension of the rule.

REPAVING OF WARD 4 STREETS.

Coun CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to create a W. P. A. project which will provide for the repaving with smooth pavement of the following streets in Ward 4:

Dartmouth street, from Stuart to Tremont street; Cumberland street, from Huntington avenue to St. Botolph street; Gainsborough street, from Hemenway street to Huntington avenue; Field street; Symphony road; Tavern road.

Passed under suspension of the rule.

PAINTING OF CROSSWALK LINES,
WARD 20.

Coun. LYONS offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint crosswalk lines at the junction of South and Conway streets, and also South and Fairview streets, Ward 20.

Passed under suspension of the rule.

WIDENING OF BEECH STREET.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to provide for the widening of Beech street, Ward 20, from Anawan avenue to Washington street, either as a W. P. A. project or otherwise.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 20 STREETS.

Coun. LYONS offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 20 as public highways:

Garden street, Prentiss road, Partridge street, Pheasant street.

Passed under suspension of the rule.

ACCEPTANCE OF WILLIAMS PARK.

Coun. KELLY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Williams park, Ward 15, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RESURFACING OF FRANCIS STREET.

Coun. CAREY and CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Francis street, Roxbury, under the W. P. A. plan of construction.

Passed under suspension of the rule.

RESURFACING OF CHESTNUT AVENUE.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface Chestnut avenue, Ward 10, under the W. P. A. plan of construction.

Passed under suspension of the rule.

REOPENING OF HAYMARKET AND EAST
BOSTON RELIEF STATIONS.

Coun. IRWIN, GALVIN and FITZGERALD offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of reopening the Haymarket Relief Station and the East Boston Relief Station.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of Frederick L. O'Neil (referred September 26) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to the Health Department—recommending passage of accompanying order, viz.:

Ordered, That the sum of four dollars and seventy cents (\$4.70) be allowed and paid to Frederick L. O'Neil in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Health Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

DOWNER AVENUE SIDEWALKS.

Coun. HUTCHINSON offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install asphalt sidewalks on Downer avenue, Ward 13, to replace the present dirt sidewalks, under the W. P. A. plan of construction.

Passed under suspension of the rule.

BLEACHERS, SAVIN HILL PLAYGROUND.

Coun. HUTCHINSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to erect bleachers on the Savin Hill Playground, the expense of same to be met with W. P. A. funds.

Passed under suspension of the rule.

BENCHES, SAVIN HILL BEACH.

Coun. HUTCHINSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make immediate repairs to such benches as may require same on the Savin Hill Beach.

Passed under suspension of the rule.

CONFIRMATION OF APPOINTMENT.

President KERRIGAN called up, under unfinished business, the following:

Action on appointment submitted by the Mayor October 3, 1938, of Frederick W. Thielseher, to be a Weigher of Coal.

The question came on confirmation. Committee—Coun. Galvin and Taylor. Whole number of ballots 15, yes 10, no 5, and the appointment was confirmed.

President called up, under unfinished business, 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 Library Department, H, Relief Projects, \$15,000, to the appropriation for Hospital Department, Sanatorium Division, H, Relief Projects, \$15,000.

On October 3, 1938, the foregoing order was read once and passed, yeas 17, nays 0.

The order was given its second and final reading and passage, yeas 20, nays 0.

RECESS.

On motion of Coun. NORTON, a recess was taken at 3.21 p. m., subject to the call of the Chair. The members reassembled and were called to order at 4.46 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on communication from Metropolitan District Commission (referred today) re taking by commission from city of portion of Centre street at West Roxbury Parkway and form of concurrence—that same should be accepted.

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

2. Report on message of Mayor and order (referred today) recommending that Commissioner of Public Works be authorized to sell at public auction various equipment and materials of no further use to department—that same ought to pass.

Report accepted; order passed.

3. Message of Mayor and order (referred today) that offer of United States to aid by way of grant in financing construction of storm drainage works in Central Wharf be accepted—that same ought to pass.

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

4. Report on message of Mayor and order (referred today) that sum of \$22,000 be appropriated from income of George F. Parkman Fund to be expended under direction of Park Commissioner—that same ought to pass.

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

5. Report on petitions (referred today) for special permit for driveway openings, as follows:

Estate of Eben D. Jordan, 473 Atlantic avenue; Singer Sewing Machine Company, 180 Purchase street; Liberty Realty Trust, 600 Centre street; Estate of Eben D. Jordan, 47 Broad street; Gulf Oil Corporation, 103 Kneeland street; Thomas F. Friel, 34 Billerica street,—recommending reference to the Committee on Ordinances.

Report accepted; said reference ordered.

6. Report on message of Mayor and order (referred today) authorizing transfers within departmental appropriations—that same ought to pass.

Report accepted; said orders passed, yeas 20, nays 0.

7. Report on message of Mayor and order (referred today) determining to cooperate with Boston Housing Authority and approving a form of contract with said Housing Authority with respect thereto, and authorizing the execution thereof—that same ought to pass.

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

Coun. AGNEW—Mr. President, I repeat what I had to say in executive session concerning this matter—that I think of it as having enough importance to give to it some consideration, where ultimately many millions of dollars are going to be spent in our city for housing. I want it distinctly understood that I am not opposed to housing. I have voted for it before. But I would like a little more information in detail, and I don't think in executive session a matter of this nature can be fully discussed, particularly in one session. Therefore, as I did in executive session, I now ask here in open meeting that a special meeting of the City Council be held, to be confined to consideration of this matter only, so that we may sit down and discuss it and acquaint ourselves more with it in detail. When the meeting is over I myself, like the rest of the Council, in the light of the facts that we may obtain on matters we now know nothing about, will be prepared to act. I desire to know particularly what the contract is going to take place, where the housing projects are going to take place, whether in South Boston, Charlestown or a few other places, and I would like to have information more in detail than we obtained today in executive session. Therefore, if in order at this time, I would ask that a special meeting of the Council be held, say on Wednesday or Thursday of this week, upon this particular matter. I would move that it be assigned to a meeting to be held, say, on Wednesday of this week.

Coun. SHATTUCK—Mr. President, I wish to speak on that motion. I am in favor of the motion, but the one point I want particularly to make in reference to this contract is that it was presented to us only this afternoon, that no member of the Council has read it, a contract involving \$27,000,000, and it certainly contains one clause which I wonder if anyone can explain. It says: "The city consents to the assignment

of this agreement by the Authority for the protection of the holder of any bonds issued to aid in financing the development of the Projects." It looks to me as though, if the Federal Government got tired of the property, they could hand it over to the bond holders and that the bond holders would own it tax free.

Coun. FITZGERALD—Mr. President, I sincerely hope that Coun. Agnew's motion will prevail, having in mind particularly the point raised by the councilor from the Back Bay. I am heartily in favor of the housing proposition and agree that we ought to have it here, and I agree that some sections of the city should be taken care of perhaps before others. But to come in today and ask us to hurry the vote for the proposition is very unfair. There are a lot of questions to be considered here. In New York they had plenty of time to look into the proposition, but here we are asked to act immediately, without any time for consideration. I think the Council should go a little slow, should look into such matters a little bit more carefully. Certainly, no harm can come from putting this over to Wednesday or Thursday. On Wednesday we have a committee meeting called for 1.30 p. m., but perhaps we could have a meeting of the City Council to consider this matter at three o'clock. No doubt this matter has been considered by certain parties for a number of weeks, but it has just been brought to our attention, and we are asked to act immediately. Now, I don't want to be misconstrued. I heartily favor housing. I might say incidentally that my section is the worst of all, and they haven't even considered it. Of course, I am sorry for that. But I am not against the proposition. It has just been presented to us. I did not know it was coming up. Of course, we all know that South End conditions are deplorable and that there are also deplorable housing conditions in other sections of the city. The report of the Washington Housing Authority shows that the West End and North End are more densely populated than any part of London. But the question arises: Why should the city become a land owner under the conditions set forth? We don't know what will happen. We know that in Cambridge they claimed that they would take no land at a price of over \$1.50 a foot, and then they paid \$2.50 a foot. We don't know up to the present moment just how this is to be worked out in Boston, just what the difficulties to be encountered may be, and yet we are asked to hurry it up today. It is a terrible thing for us to vote for a measure of this size and importance without proper consideration. I believe the suggestion that it be postponed is absolutely right, so that we may look into what may be involved. If we rush things of this kind through, there is always a day of reckoning. I would warn the new members to be very careful as to how they cast their votes on such matters. A while ago there was a candidate for a high county office who was sailing along splendidly until his legislative record was produced. He had voted for everything that the then Mayor of Boston wanted, and he soon found that the teachers and city employees were against him because he voted to decrease their salaries. These chickens come home to roost, gentlemen, and you may well, in casting your vote, bear in mind your political future. Therefore, I certainly trust that at least a short time will be given us to look into the details of this matter.

Coun. TAYLOR—Mr. President, there is an old saying that a man who represents himself has a fool for a client, and in this case we would not be acting merely upon our own responsibility. We are not asked to sign a contract, as the previous speaker would seem to imply, without any authority for our action, because we have had the advantage of the advice of Mr. Breen, representing the Housing Authority, and of Mr. Weinstein, representing the Law Department of the City of Boston. They were present with us in executive session and we were assured that the form and the substance of the contract were all right. The Law Department of the City of Boston has gone into the matter very thoroughly, and they are as much interested in the welfare of the City of Boston as the City Council would be. In looking over the contract I saw the provision to which Councilor Shattuck has referred. It is nothing but a security for the bondholders who invest their money, and does not adversely affect the interest of the city one iota. In the event that the bondholders are going to lose money, the Housing Authority can assign it to the bondholders

for the purpose of securing them. But that does not affect the city one bit. The city does not have to pay out a red cent more as a result of signing the contract. When the Law Department of the City of Boston says, after careful examination, that a contract of this kind is all right, I am satisfied that it is all right, that the interests of the city are protected. I do not want to take away from members of the Council an opportunity to look into this matter for several days if they really feel that, under the circumstances, such a delay is important. But I feel assured that the same action that we would take if we voted here today will be taken on a future date, if action is postponed. I would not raise an objection to members of the Council having a further delay, if they feel that they have not had sufficient time, under ordinary circumstances, but I feel personally that there is very little time within which we can act. I don't think several days' delay would do any harm, although I do not think personally that it would add to our information or change in the slightest degree the arguments in favor of affirmative action on this matter.

Coun. HUTCHINSON—Mr. President and members of the Council, I, too, do not object to giving the members an additional chance to look this over. Personally, I have looked it over and studied it thoroughly, but I do not like to object to a reasonable delay on such matters if there is anything really to be gained. Personally, I do not feel that there is anything to be gained by further delay. We want better housing in Boston and in every part of the state. We want to get the benefit of it, and we don't want delay that may jeopardize such an undertaking. There may be some who are opposed to it, anyway, and if we act reasonably promptly we will have less hickering. I would like to have the members of the City Council hasten as much as possible a matter of this kind which, to my mind, can do nothing but help the people of Boston.

Coun. CHASE—Mr. President, this is a matter involving millions of dollars, and I cannot understand why the City Council should pass upon such a matter without a reasonable opportunity for inquiry. After all, it is a matter involving many millions of dollars, possibly involving the lives of hundreds of citizens of Boston. I come here to the City Council representing a constituency that expects me to exercise my own judgment, and I feel that it is only proper that we, as an intelligent body, should delay action until the members have had an opportunity to examine into it and form their own opinions.

Coun. SULLIVAN—Mr. President and members of the Boston City Council, I think I can truly say this afternoon, after my membership of the past ten months in this body, that never has a matter come before us upon which we as members of the Council have been better informed than upon this matter now before the body. The chairman of the Housing Authority of the City of Boston, Mr. Breen, and Mr. Weinstein of the Law Department appeared before us in Executive Committee and explained the matter at length. I wish to say now that I am prepared to vote immediately for the contract. I heard all the discussion in the executive session and I really believe that if this is put over and we come back Wednesday or Thursday we will then know no more about it than we do today. I believe the argument that has been made here in support of delay is superficial, to place a stumbling block in the way of this Federal housing proposition. I have read the newspapers in regard to the situation in New York and I have formed a very definite idea about the value of Federal housing in this and other cities. I think any of us who have looked into the matter must realize the value of this Federal housing action to different communities. We hear the argument about giving away the property of the city. There is a possibility of the property being taken over for failure to pay taxes. It is assessed at \$111,700, but there is only \$38,000-odd in taxes. So the city stands to gain approximately \$74,000 as well as collecting back taxes, if they get only the assessed value of the property, and they may get more. Furthermore, previously the city received only a minimum service charge of approximately \$8,000 for the servicing of the housing units. Today they receive not only the servicing charge under the stipulation of the new contract, but 4½ per cent of the total shelter rent collected

in lieu of taxes. In addition to that, I cannot see how any member of the Council who voted for the Old Harbor housing authority can vote against this. Also, the city has a chance to rid itself of worthless property in this manner. While ordinarily I would see no objection to coming back here after a few days and acting upon the matter, under the circumstances, with the information we have and the advice we have received from our Law Department, I see nothing to be gained by such a delay. So, personally, I don't believe we should delay action. I fear that the only result will be to place a stumbling block in the way of the Federal housing project.

Coun. GALVIN—Mr. President, I have heard the statement of the gentleman from Ward 3 (Coun. Fitzgerald) and others, and have heard the arguments from time to time in the Council on this housing matter. Last January, week in and week out, we heard discussions of housing. There is no doubt in my mind that if any member of the Council had wished to obtain any information relative to Boston housing, he could have obtained it at the office they have at 18 Albany street. When the question of legality arises in the mind of any member of this Council upon matters coming before us for action it is, as it always has been, the duty of the members of the City Council to call upon the Law Department. We have there a disinterested department whose only concern is the welfare of the City of Boston. Today in executive session we had present a member of our Law Department, Mr. Weinstein, who approves of this proposed Federal housing contract as submitted to us and we had Mr. Breen, the head of the Housing Authority, one of the keenest minds in the country upon this matter, who has carefully studied the situation and explained it to us. There is no doubt that prompt action is necessary, and if such action is not taken we are quite likely to find the whole matter unsettled on November 8. In our northwestern and southwestern parts of Boston, there can be no question of doubt as to the importance of immediate action along this line. In other sections of the city, such as East Boston, including East Boston, there is also no question that action along this line is necessary. If there is a delay, even of two or three days, the administration might be called upon to give attention to some other section of the country and we might lose what is now available. In that event, a solution of the housing problem here might be put over until 1939. On matters of this kind, on all important matters coming before us, involving legal opinions, we have always called upon and depended upon our Law Department, and we have always been able to depend upon that department for advice that was in the interest of the City of Boston. That advice we have had here, and I am firmly convinced that a delay of a few days will add nothing to our knowledge of this subject. I feel that there should be no clog upon the Federal Government in this housing matter, that we should place the reliance we have always placed in our Law Department and in the Mayor of Boston, who sends the order into this body after careful consideration and after being fortified by the best legal and other advice obtainable. I would move, therefore, that we act upon the matter today. I believe, with the approval of the Law Department, no further delay is necessary.

Coun. AGNEW—Mr. President, I have not heard anyone on the floor of this Council oppose housing in this discussion. I think without exception, that the Council is in favor of housing. They have voted for it before, and are still of the same opinion. They approve of it. We are not opposing this particular housing measure now in front of us. I respect the Housing Commission. I respect the Law Department, but neither one of them mean a thing to me—and I believe other members of the Council have the same feeling—when it comes to voting "yes" or "no" immediately on a matter of this importance that is placed before us, a matter upon which we will be held responsible to our constituencies and to the people of Boston. The Law Department practically hand this to us for immediate action, saying it is all right and that we should take it because they say so. They say it is all right, and very likely it is. But I am not in the habit of accepting things in such a *pro forma* manner. I use my own judgment on such questions. I think we all possess the average judgment and common sense, and I feel that a delay of a couple of days whereby we can convene in session and discuss this matter

intelligently, will be of no material harm to anyone. Therefore, I would like to see it go over until Wednesday, when we can again have the Corporation Counsel and the head of the Housing Commission before us and discuss the matter more fully. Various sections were discussed in our executive session. Councilor Sullivan has a section in his ward that we haven't even seen. Brighton is one of the oldest sections of Boston. It was annexed years before Hyde Park and some other sections. There is a section there that should be given consideration. So I trust that the members of the body will not feel, from what I say, that I am opposed to housing, because I have voted for past measures relating to housing. I am not opposed to it. However, I have a head on my shoulders that I want to use in this particular matter. I believe we should discuss this proposition more in detail, and I say that we will be making no mistake in doing so.

Coun. FITZGERALD—Mr. President, I don't want it understood that I am opposed to housing. I am heartily in favor of it. I think I have been more active in this housing line than any man in Boston, and I believe I know something about the law on the whole situation. I want to reiterate that I stand firmly for housing. But I want to see the thing done right. This is a big question, upon which we should obtain all the information possible before acting, and I move that it be assigned to a meeting on Wednesday next, at three o'clock in the afternoon, and that when the vote is taken it be by yeas and nays.

Coun. NORTON—Mr. President, ordinarily I would be in favor of postponing action upon any order coming before us where it can properly be done. I would upon any question, where the delay would not cause serious injury, agree to a couple of days' postponement in order to give members time to look into such matters. But in this particular instance the chairman of the Housing Board expressed to the Council the desire that the bill be passed today. Let me say just a word in answer to the two points that have been raised. First, we are told that we have not had time to read this contract. I will not read that contract in its entirety by Thursday or in a week from Thursday, and no matter how long you postpone it I doubt if any member will read it word for word. It is just impractical and impossible. I am taking the word of the Federal Housing officials from the President of the United States down. I know that they are not asking anybody to vote for what is unfair and unjust. Secondly, I am willing to take the word of the Mayor of Boston and the chairman of the Housing Board. They tell me that they think the city should accept the act at once. I believe that I have sufficient knowledge of the matter, with the support of the Mayor, the Housing Authority and our Law Department, to act at once. I looked this over with Assistant Corporation Counsel Weinstein. I have read about it in the New York papers, have glanced over the contract. I feel that I am as well prepared now, and that the members of the Council are as well prepared to act upon this as we will be at any time. Therefore, I am going to vote against postponement. This matter is too important to postpone any longer. It does not involve money from the City of Boston. Ninety per cent comes from the Federal Government. To answer the councilor from Ward 5, where he raises a question based on section 19 of the contract, relating to protection of bondholders, let me refer to a succeeding section. He quotes section 19, as follows: "The city consents to the assignment of this agreement by the Authority for the protection of the holders of any bonds issued to aid in financing the development of the Projects." Well, councilor, your answer is in section 20, which states: "This agreement shall continue in full force and effect with respect to each Project so long as the title thereto is held by the Authority or some other public body or agency of the Commonwealth." In other words, the bondholders have no control over the project.

Coun. FITZGERALD—Mr. President, I would like to ask the gentleman a question. How did you get all this information?

Coun. NORTON—Because Mr. Weinstein read it to me, as he did to any of the members seeking information on this subject, and he was here today to answer any questions that might be put by any member of the Council.

Coun. FITZGERALD—Now, don't you realize that you have had the assistance of Mr. Wein-

stein and we have not? Do you think that is fair to some of the other members of the Council? You may be right, but it is unfair to the rest of us. We have to answer to our constituents, also.

Coun. NORTON—Mr. President, I would answer in this way. On 99 per cent of the matters coming before us, I accept the word of city officials who are familiar with the matters. I have not the time to look very closely into any particular subject coming before us, and you have not, either.

Coun. FITZGERALD—I would like to ask the gentleman another question. Is the Law Department always right? You know that they are not.

Coun. NORTON—The answer to that is categorical.

Coun. SHATTUCK—Mr. Chairman, the gentleman from Hyde Park has referred to section 20 in reply to my reference to section 19. If his answer is correct, he is blowing hot and blowing cold. According to section 19 the city consents to the assignment of the agreement by the authority for the protection of the bondholders, and he claims according to section 20 that they don't have that recourse at all. How can they obtain assignment of the agreement in one section and not in the next?

Coun. NORTON—This is an agreement that has been hammered and pulled apart with a fine-tooth comb, and I would assume that section 19 is consistent with section 20. Of course, it is an interesting point. He may be right and I may be wrong. I am of the opinion, however, that his point is not well taken. Section 19 says that the city consents to the assignment of the agreement by the authority for the protection of holders of bonds issued to aid in financing the development of the projects. Section 20 states that the agreement shall continue in full force and effect so long as the title is held by the Authority or some other public body or agency of the Commonwealth. Now, Mr. President, if a meeting is held next Wednesday or Thursday to deal specifically with this Housing project there still will be objections. You can postpone this for a month and there will still be objections. You know as well as I know that next Wednesday or Thursday there is not a member of the body who will have any more information than he has now. You know as well as I know that if it is postponed there will still be bickering and objection.

Coun. FITZGERALD—Mr. President, the fact remains that there are questions in connection with this whole matter that we ought to more thoroughly understand. There are questions in regard to land to be used for this purpose in various sections of the city—possibly in East Boston, the West End, parts of Roxbury. We should have a chance to consider the details entering into this fairly, and certainly there can be no reasonable objection to assignment of this matter to Wednesday. Let us be fair to everybody, standing here in Faneuil Hall.

Coun. GALVIN—Mr. Chairman, I wonder if the councilor from the West End would be objecting if there was to be a project in the West End?

Coun. FITZGERALD—Yes.

Coun. NORTON—Mr. President, I agree that the councilor from Ward 3 (Coun. Fitzgerald) is honest in this matter, and that he is independent enough to act according to his own judgment and conscience. He is just as honest in his belief as I am in mine. Now, if there is unnecessary delay here there will be many extraneous things that may be brought into this question which will cause difficulty. I am informed from one source that certain real estate people might be interested in holding up this bill and you know as well as I do that they have at times interfered with a thousand and one things looking to the improvement of Boston. Boston has postponed action upon this matter too long. We should have had half a dozen projects—in Roxbury, East Boston and other sections. The movement should be going ahead here as it has in New York. Delay may mean defeat. It will certainly mean procrastination. Therefore, I am voting against delay. I know that Uncle Sam and our Mayor and other city officials are not going to ask Norton to vote for something that is unfair.

Coun. SULLIVAN—Mr. President, in answer to the remarks of my colleague from Ward 21 (Coun. Agnew), I have visited the site of the proposed housing authority over my way. I do not believe anything will be gained by further postponement. I feel that this is even a better proposition than the Old Harbor Housing, where

the land had been originally purchased for a dog track. I have already referred to the figures, which are certainly more than favorable. We went through on the Old Harbor project and I feel that it is even more important that we should go through on this. I have been strongly impressed with the information we received in Executive Committee from Mr. Breen and Mr. Weinstein. I think all the substantial arguments favor this Federal housing project, and that it should be passed today. If anybody voted for housing before, he should certainly vote for this now.

Coun. LYONS—Mr. President, there has been a lot of talk here this afternoon in regard to housing. Of course, we are all in favor of housing, and much along this line is going to be done to clean up the City of Boston eventually. This, however, happens to be a big proposition, and we have to take the responsibility of acting upon it. A large sum, \$27,000,000, is involved, and we should not be expected to act upon it in fifteen minutes. Regardless of the information that the Law Department may have about it, I don't think they should come down here and tell us to pass it without even a chance to look into it. Any reasonable man looks into a thing before he places his signature at the bottom. This is a proposition that needs to be given a little thought. Perhaps the foresight of some of us may be better than that of the Law Department. There is the question of the bondholders and there are other questions to be considered. There are five or six articles here that we might well give some attention to. We are all in favor of housing, in favor of slum clearance, but there might be a question whether some of these projects involved slum clearance. At least, let us have a little chance to see what is proposed before the thing goes through. I believe we should have a few more days to look this contract over.

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

The main question was ordered, and the motion to have an adjourned meeting, to consider the contract, on Wednesday, October 19, at 3 p. m., was lost, yeas 10, nays 10.

Yeas—Coun. Agnew, Carey, Chase, Englert, Fitzgerald, Lyons, Murray, Rosenberg, Shattuck, Wilson—10.

Nays—Coun. Fish, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Norton, Sullivan, Taylor—10.

President KERRIGAN—The question comes on the passage of the order, and the clerk will call the roll.

Coun. WILSON—Mr. President, I would like to say a word at this time. I did not care to be heard before the previous vote. I recognize the fact that a lobby has been at work here today. I should be sorry, however, to have to vote on a \$24,000,000 contract without waiting even three or four days to give it due consideration. After eleven years of service in this body, I feel very frankly, when we are asked to vote on a \$24,000,000 project, knowing so little about the paper we are approving, it strikes me that the city government of the City of Boston, as far as the legislative branch is concerned, has reached, if possible, a new low. I heard it suggested that the Law Department came here today to advise the boys how to vote. Of course, I recognize as a member of the bar myself, the province of a lawyer in certain matters. He passes on the question, for example, of whether papers are in order. But during my eleven years service in this body I have never allowed any Law Department or any Mayor to advise me on the principle of any matter. We are told, however, today to vote for this because the Mayor of Boston says it is a good thing. While I have every regard for the Mayor of Boston, the day has yet to come when I shall take the word of the Mayor of Boston as my guide in voting for any particular proposition. When they say, "It is all right, because the Mayor sends it to us," I am very much surprised to hear that advanced as an argument showing why we should vote for it. When the matter was before the Legislature, one of the sales talks given was that any further slum clearance project would amount to at least the assessed value of the properties before the property was taken and we now find that that act was so written that the so-called service charge should not exceed the excess value of the property. So to that extent the proponents of the housing projects slipped a fast one over on the members of the Legislature who voted for the act as it now stands. There is one element in the community which apparently is not considered by the

city government. It is the element that pays the salaries of the twenty-two men who sit here. That element in the community, which I have felt during the last eleven years has been my duty to at least try to properly represent, has now reached such a new low that it is practically being pitched out the window. I admit that there will be some benefit from housing projects, but it occurs to me that the people of Boston have some rights here, and it is with that in mind that I now submit two editorials from the *Boston Post*, which I understand is a Democratic paper. I am going to ask that those editorials be spread on our record so that they may at least appear in that record when members of this body vote blindly on such a matter. The first one appeared July 26, 1938, and reads as follows:

"PURPOSE OF CLEARANCE.

Federal Housing Administrator Nathan Straus declared in his address in Buffalo, N. Y., that the unanswerable argument for public housing is the fact that private construction is designed for families who will pay more than \$30 a month rental.

He said that 90 per cent of private construction is directed at this rent class, and thus the government has to step in to relieve the situation.

Mr. Straus does not mention, however, that the primary object of Federal housing construction is slum clearance. And the fact that dwellers in slums cannot even afford to pay the very reasonable rent in government-operated houses. And that taxation, and taxation alone, by city, state and Federal governments makes private building prohibitive at low rentals.

If private construction could be freed of prohibitive taxes there would be few slums to clear."

The second, under date of January 24, 1938, reads as follows:

"A HEAVY BURDEN.

If the city has accepted a yearly payment of \$9,000 in lieu of taxes on the South Boston housing project it has made a tremendous sacrifice which does not seem to be justified.

The \$9,000 payment is really nothing at all. The normal taxes on the land and buildings would amount to around \$250,000. For the benefit of a mere handful of families the city sacrifices a great amount of money. There is no real reason why the tenants of these apartments should be granted what amounts to complete immunity from city taxes in addition to a very large government subsidy.

These tenants will not be former slum dwellers. They are persons who have steady jobs, a good credit rating and who are amply able to pay the rentals charged. They would not be accepted as tenants unless they have these qualifications.

The rentals are not the lowest in South Boston. They are certainly the lowest by far when the quality of accommodations is considered. No privately owned property paying taxes and without a subsidy could possibly exist on less than twice the rentals scheduled.

Just what claim the persons who are fortunate enough to obtain apartments in this project have as against the thousands of others who occupy low-priced tenements in South Boston or in other parts of the city is hard to see. All tenants in the city, outside these government projects, pay taxes, which are included in the rents. But, the favored few not alone pay no taxes but out of the taxpayers' money the Government pays part of their rent.

Surely, the big subsidy from the Government ought to be enough without asking the city to provide all its valuable services free of charge to these tenants.

If the city takes over the property in time the situation will not change. The city ownership will be a very shadowy one with all the responsibility but with no power to change any of the regulations imposed by the Federal Government. The Government makes all the rules governing management, rentals, etc., which the city must accept.

The whole business is no bargain for the city and no encouragement for the city to embark on the new ventures allowed under the Wagner Housing Act.

The language of the law conveys the impression that the cost to the city will be small. This is an illusion. The housing law provides that an equal amount of slum area must be wiped out as a condition precedent to the new housing. But this does not mean that tenants who lose their

homes in the slum area destroyed shall have space in the subsidized housing projects. If it did, the subsidy would rest on stronger grounds.

Mayor Tobin looks on such ventures with a suspicious eye and it is well he does. He has the interests of the heavily burdened taxpayers to consider."

And so I am very sorry that we should be expected to vote for a matter of this kind without even a few days for consideration. Notwithstanding what has been said here, there is not a member present at this moment, including myself, who has read that contract word for word, a contract involving \$24,000,000, that is all! And to that extent, whether you like it or not, it does put the City of Boston, and certainly the taxpayers and property owners of the City of Boston, in reverse English, in the rather peculiar position, although we have not had time to even read it over, of voting for the project because the Mayor sends it to us and it must be all right, although there have been times when I thought even he was against an extension of these housing projects—because the Law Department or some assistant in the Law Department comes down here and tells us that it is all right. I would like a reasonable extension because I have had in mind the property owners and home owners of Boston in the ward I happen to represent, which continues to have more and more empty apartments as a result of subsidized housing; and it occurred to me, perhaps more as a member of the bar than just a politician, that in this country every section of the community has a right to be heard, even the one who pays the bills. So I simply wish to state my feeling upon this matter, as a matter of record, that I would prefer to pass upon such a matter after reading the contract over rather than before.

Coun. MURRAY—Mr. President, I have also sat in my chair and listened to the various remarks in this discussion, and I have been of the opinion that upon such a matter as this, with which we have been brought in contact for the first time this afternoon, a delay of one day would not jeopardize the proposition. I have consistently voted for housing and will continue to do so, but I have certainly felt that one day's delay would not jeopardize this. Certainly, if this is put off for one day, until Wednesday afternoon, housing in Boston will not be set back. I am just as anxious as any member of the body to see that other sections besides South Boston have the benefit of such action, if possible. But let us at least take a little time to look at the contract, as reasonable men, to see what we are voting on. Certainly that can do no harm. We should not vote "Yes" or "No" on a proposition like this within fifteen minutes after its presentation to us. It is not right. We were not elected to do that. We were elected to do things beneficial to our constituents. Surely one day's delay will not make any difference. No doubt eighteen or twenty members of the Council, when it comes to a vote, will vote it through, but let us give the other side a chance to be heard. That is simply the fair and proper thing to do. That certainly is not unreasonable.

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

Coun. AGNEW—Does the councilor wish to shut off debate? (Coun. Galvin withdrew his motion.)

Coun. AGNEW—Mr. President, when I asked that this matter go over for a couple of days I felt that it was the proper and sane thing to do, not only for myself but for other members of the body. However, the motion has been lost, and I am now forced, because of my conscience and the sympathy in my heart, to vote for this measure, if it comes to a vote today. However, I am not going to content myself with that, because there are some things that have been brought out which I did not hear explained in executive session—the possibility for instance, that the project might be built by the Federal Government and then turned over to a housing committee. I did not hear in committee that proposition, that the Federal Housing Authority is not going to do what it did in South Boston, that it has new ideas in connection with these projects. So I am not going to be content to vote on this matter; I am going to look at that contract. I am going to study in detail whatever provisions there are in connection with this housing bill, and if in my opinion we should hesitate I will be the first in this Council to say so, regardless of my per-

sonal conviction. As I say, I am going to vote for this, but I am voting for it with the proviso that this contract and other matters pertaining to it must be studied by myself and other members of the Council.

Coun. TAYLOR—Mr. President, I have listened intently to the sincere remarks of several members. I know that their hearts bleed for their people. I know, when they mention the sum of \$24,000,000, they really feel down in their hearts that they are spending \$24,000,000. They are not. This is not such a gigantic proposition so far as the pocketbook of the City of Boston is concerned. They wish to protect their constituents, but in so far as they say the City of Boston is spending \$24,000,000, that is not so. I am, however, willing that certain members who wish a short postponement should have that privilege, and I move a reconsideration of our vote refusing postponement.

The question came on reconsideration of the vote refusing postponement to Wednesday afternoon.

Coun. NORTON—Mr. President, I wish to take just two minutes to answer certain statements that have been made by my colleague from Ward 17 (Coun. Wilson) and other councilors in connection with this measure. We are accused of voting blindly on something. The answer is, "Here is the contract." Two pages of it are devoted to nothing but preliminary detail which I think we are all willing to accept. Now, Mr. President, I am not voting on this blindly, and I don't believe other members are voting on it blindly. Also, I believe the city will save money instead of losing on these slum clearance projects. Secondly, in regard to the statements made that the Mayor of Boston was against the further extension of housing projects, I know the Mayor and everybody connected with the housing projects believe that poor people have a right to decent homes. We are told about empty private apartments in certain sections, Mr. President. I represent a ward that has many such apartments, and I realize that there are some ways in which my position on slum clearance might be politically unpopular. My section is composed 65 per cent of home owners. A large number of my constituents feel that I am going to steal their tenants. But my answer to that is this, that if slum clearance puts people into decent homes, I am satisfied. The families that will go into these projects will come out of homes unfit for human habitation. Now, to answer the Boston *Post* editorials. I am sure if we had here the writer of those two editorials and he heard the arguments that have been presented on both sides here today, he would adopt the attitude that the majority of the Council has taken. Who, in the name of heaven, in the year 1938 can oppose placing children in homes fit for human habitation? Who can take that position today, as a member of the Boston city government here in Faneuil Hall? I know I will live to see the day when we will all be proud of the part we took in bringing proper housing to the City of Boston. The Mayor of Boston and the Corporation Counsel have asked us to take immediate action upon this matter. Definite action must be taken and preparations must be made by November 8, when the President of the United States of America is to perform his important job of allocating millions for slum clearance throughout America, so that poor people will have homes to live in. I want Boston to be up in the first rank. I want to see the Boston City Council in the first place, in so far as slum clearance is concerned. I realize the attitude of certain people in the past upon this matter, people who have said, "Washington, we don't want you." That same attitude has been shown by certain people when there has been an opportunity to obtain free milk for the poor in our community, and the answer has been, "If you don't want these things for your poor, there are others who do want them." Jim Agnew says that we want our W. P. A. force doubled. I say, Amen, when there are 100,000 men, women and children walking the streets of this city, unemployed. We now have 26,000 on W. P. A. and the number should be at least 50,000. And I say, also, that we should immediately do all we can to further these housing projects. There has been in the past this opposition to Uncle Sam coming in here and there is some such opposition manifesting itself here today. But I say to you, boys, you will be proud five years from now as you pass by these places where

these housing projects have been introduced to say that you have had a part in it. You will be as proud as I shall be when you go to South Boston and see hundreds of youngsters living in decent homes for the first time, and you will say, "If there is one action in my political life of which I feel proud, it is this." I am for anything that is for the benefit of the poor children. Well, here is the contract, four pages, two dealing with ordinary routine and two going into specific details. I am for that contract, and I know that five years from now—and I know that all the other members of this body will then feel the same—I will feel happy to see poor people in this city, poor children, properly housed and living in decent homes.

Coun. IRWIN—Mr. President, several members of the body have tried to chastise those who wish to vote for the passage of this order today. I want to say that I am one here who wishes to so vote, and I am not ashamed to do so. The thing that impressed my mind most was this. The Assistant Corporation Counsel stated in executive session just what this contract meant. Our Law Department represents the City of Boston, and takes always a ground that will protect its interests. This contract has been carefully examined and was explained to us in committee, and we also had the benefit of the presence of Mr. Breen of the Housing Authority. On countless matters that come before us we take the word of department heads, who naturally have the interests of the city at heart. They have a chance to look into these matters, study them and form a just conclusion, which is far better than the opportunity we have. They were there and explained every point that was raised. I know some will say that they don't care to take the word of department heads and don't wish to rush things through blindly. There are times when that may be so. But in this case the men who had studied the thing and knew all the details, and who have the interests of the city at heart, were with us in Executive Committee, ready to answer any question that might be asked. I, for one, was satisfied. Now, let us not be hypocrites. Let us not say, because we may be against this measure, that we want more time to look into it. The same argument might be raised on countless orders which come to us from departments, which they explain to us and upon which we take their word, and upon which there is no postponement. We have taken the word of department heads on such matters, after they have explained them, and I believe we should do so in this case and vote upon this matter today.

Coun. TAYLOR—Mr. President, I want to say that there are members of the Council who will always be opposed to housing, and who can always advance good reasons why, as they say, we should not hasten. But those members in many cases will always vote "No" when the final action is taken. There are, however, other members who really believe in and want housing, but who feel that they have not had sufficient time to consider such a matter as this, and who don't want to be railroaded. Although it may occasion some hardship to the Boston Housing Authority, I don't think a slight delay will defeat the purposes of this project. I believe I can challenge even the

ablest councilor who wishes delay to ask one question in regard to that contract the answer to which will tend to show that it defeats the purposes for which it was intended. Wishing, however, to be fair to those who honestly desire a brief postponement, I will move reconsideration of our defeat of that action.

The motion to reconsider the defeat of the proposed postponement to Wednesday afternoon prevailed, yeas 11, nays 9:

Yeas—Coun. Agnew, Carey, Chase, Englert, Fitzgerald, Lyons, Murray, Rosenberg, Shattuck, Taylor, Wilson—11.

Nays—Coun. Fish, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Norton, Sullivan—9.

President KERRIGAN—The question now comes on Councilor Fitzgerald's motion to assign to Wednesday, at 3 p. m.

The motion to assign the matter to Wednesday, October 19, at 3 p. m. prevailed, yeas 11, nays 9:

Yeas—Coun. Agnew, Carey, Chase, Englert, Fitzgerald, Lyons, Murray, Rosenberg, Shattuck, Taylor, Wilson—11.

Nays—Coun. Fish, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Norton, Sullivan—9.

(Mr. Weinstein of the Law Department said, in answer to a question, that he would see that all members of the Council were immediately provided with copies of the proposed contract by special delivery.)

REGULATIONS RE W. P. A. EMPLOYMENT.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to ascertain what, if anything, can be done by the W. P. A. officials toward making more liberal regulations relative to W. P. A. employment.

Coun. CAREY—Mr. President, according to the set-up of W. P. A. we are informed that priority must be given to the father of a family, provided he is living. Daily we are coming in contact with situations where there is a family consisting of from five to ten children and the father and mother. The father is working at a moderate weekly wage that provides for practically nothing more than a meager existence. W. P. A. says that priority must be given to the father. In other words, the father must be given the W. P. A. employment. We know W. P. A. to be a relief proposition, but it doesn't seem fair, or humane, to expect the father, in cases such as I have mentioned here, to give up his job in order to have that family benefited by W. P. A. employment. In such cases, therefore, it is very evident that, of necessity, some other member of that family should be made eligible for W. P. A. in order that relief be given to that family. Liberalization is very necessary and we trust that cooperation along this line will be possible, and I therefore ask for favorable adoption of my order.

The order was passed under suspension of the rule.

Adjourned at 6.07 p. m., on motion of Coun. MURRAY, to meet on Wednesday, October 19, 1938, at 3 p. m.

CITY OF BOSTON

Proceedings of City Council.

Wednesday, October 19, 1938.

Adjourned regular meeting of the City Council in Faneuil Hall at 3 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd.

On motion of Coun. FITZGERALD, the Council voted to go into executive session. The Council returned to the hall at 5 p. m., President KERRIGAN in the chair.

Coun. WILSON—Mr. President, the meeting of the Executive Committee was merely to consider the question that was before us at the last meeting in regard to the housing proposition that has been submitted to us. While we did not technically have before us in committee the subject matter, we did consider it at some length. I would now, in order to bring the matter to a head, move that the order lie on the table.

The motion to lay on the table the housing proposition before the Council was carried, yeas 11, nays 9:

Yeas—Coun. Agnew, Carey, Chase, Englert, Fish, Fitzgerald, Lyons, Murray, Rosenberg, Shattuck, Wilson—11.

Nays—Coun. Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Norton, Sullivan, Taylor—9.

Coun. WILSON—Mr. President, I move that we do now adjourn.

Coun. GALVIN—I would move that when we adjourn it be to meet tomorrow.

President KERRIGAN—Councillor Wilson's motion is first in order.

Coun. Wilson's motion to adjourn was declared carried.

Coun. SULLIVAN—Mr. President, I want a roll call on that.

Coun. NORTON—Mr. President, I would merely suggest that if we simply adjourn it will be to the regular day for meeting of this body, which will be next Monday.

Coun. Wilson's motion to adjourn was carried, yeas 11, nays 9:

Yeas—Coun. Agnew, Carey, Chase, Englert, Fish, Fitzgerald, Lyons, Murray, Rosenberg, Shattuck, Wilson—11.

Nays—Coun. Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Norton, Sullivan, Taylor—9.

The Council stood adjourned at 5.04 p. m., to meet on Monday, October 24, 1938, at 2 p. m.

CITY OF BOSTON

Proceedings of City Council.

Monday, October 24, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair and all the members present except Coun. Taylor.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Goods: Clarence O. Humberstone, 66 Greenwood avenue, Needham; John F. Cahill, 505 East Fifth street, South Boston; Michael Ferrala, 30 Finley street, Revere.

Measurer of Leather: Samuel Goldstein, 4 Sussex street, Roxbury.

Severally laid over a week under the law.

RANDIDGE FUND ACCOUNTING.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938
To the City Council.

Gentlemen,—I transmit herewith a letter from the Auditing Department relative to your order of October 3, 1938, concerning an accounting of the Randidge Fund during the present year.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Auditing Department, October 11, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—Under date of October 3, 1938, the following order was adopted by the City Council:

"Ordered, That the City Auditor be requested, through his Honor the Mayor, to inform the City Council for what purposes, if any, the Randidge Fund was used during the present year."

In response to the request contained in this order I submit the following information: The Randidge Fund was left to the city for the purpose of affording to the children of the poor of the city the pleasure of one or more excursions during the months of July and August in each year. During 1938 income in the amount of \$1,817.68 has been received, and according to the records of this office up to and including September 30, \$1,816.32 had been expended, leaving a balance in the fund at the present time of \$1.36. The expenditures making up the total previously mentioned are indicated in the following table:

| | |
|----------------------------|------------|
| Pay rolls..... | \$1,082 40 |
| Candy..... | 268 28 |
| Ice cream..... | 141 00 |
| Coffee and rolls..... | 126 72 |
| Paper cups and bags..... | 122 91 |
| Circulars and tickets..... | 54 75 |
| Miscellaneous..... | 20 26 |

\$1,816 32

During the months of July and August of this year thirty-seven excursions embracing 9,250 children to Castle Island were conducted by the Park Department. The expenses of transporting the children to and from the Island was borne by the city from a special appropriation charged to the Contingent Fund. The pay roll charges against the income of the fund covered the services of five people who are employed at Castle Island to supervise the play activities and arrange for the distribution of refreshments to the children.

Respectfully,
CHARLES J. FOX,
City Auditor.

Placed on file.

REPAVING OF GREENLEAF STREET,
WARD 4.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the repaving with smooth pavement of Greenleaf street, Ward 4, and install artificial stone sidewalks, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 15, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received notice of order passed in the City Council on October 3, requesting the Commissioner of Public Works to repave with smooth pavement Greenleaf street, Ward 4, and install artificial stone sidewalks, under the W. P. A. plan of construction.

We propose to have this street resurfaced under a W. P. A. grant in 1939. It will be necessary to have a lien order passed in the Council authorizing the Commissioner of Public Works to levy assessments on the abutters for their proportionate share of the cost of the sidewalks.

I recommend that the resurfacing of Greenleaf street be approved and that the construction of sidewalks be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

CATCH-BASINS, MOSELEY STREET,
WARD 13.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the installation of additional catch-basins in Moseley street, Ward 13.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 15, 1938.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received notice of order passed in the City Council on October 3, 1938, requesting the Commissioner of Public Works to install additional catch-basins in Moseley street Ward 13.

We have made a study relative to this condition and we shall have two additional catch-basins installed at this location at once.

I recommend that this order be approved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

ASPHALT SIDEWALKS, MOSELEY STREET,
WARD 13.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the construction of asphalt sidewalks in Moseley street, Ward 13, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 15, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office,
Dear Mr. Doyle,—I have received notice of order passed in the City Council on October 3, 1938, requesting that the Commissioner of Public Works construct asphalt sidewalks in Moseley street, Ward 13, under the W. P. A. plan of construction.

It will be necessary to have a lien order passed in the Council authorizing the Commissioner of Public Works to levy assessments on the abutters for their proportionate cost of this work.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

SIDEWALKS, WESTBOURNE STREET,
WARD 20.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the construction of sidewalks in Westbourne street, Ward 20, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 15, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office,
Dear Mr. Doyle,—I have received notice of order passed in the City Council on October 3, 1938, requesting that the Commissioner of Public Works construct sidewalks in Westbourne street, Ward 20, under the W. P. A. plan of construction.

In order to levy assessments on the abutters for their proportionate share it will be necessary to have a lien order passed in the City Council authorizing us to that effect.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING OF CANTERBURY STREET,
WARD 18.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the resurfacing of Canterbury street, Ward 18, from Mt. Calvary road to Cummins Highway, and install granolithic sidewalks, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 15, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office,
Dear Mr. Doyle,—I have received notice of order passed in the City Council, on October 3, that the Commissioner of Public Works be requested to resurface Canterbury street, Ward 18, from Mt. Calvary road to Cummins Highway, and install granolithic sidewalks, under the W. P. A. plan of construction.

We propose to have this street resurfaced under a W. P. A. grant in 1939. It will be necessary to have a lien order passed in the Council, under the provisions of chapter 196 of the Special Acts of 1917, in order that we may levy assessments on the abutters for their proportionate cost of the sidewalks.

I recommend that the resurfacing of the street be approved and that the construction of granolithic sidewalks be disapproved.

Yours very truly,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

PLACING OF LIVE WIRES UNDERGROUND.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Fire Department relative to your order of September 26, 1938, concerning the advisability of seeking legislative action to place all live wires in Boston underground.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, October 17, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—In reference to the order of the City Council passed on September 26, 1938, "That the Mayor of Boston consider the advisability of seeking legislative action to place all live wires in Boston underground," I wish to make the following report:

I would suggest that legislation be enacted prohibiting the erection of poles and overhead wires on streets where no poles or wires previously existed. Also that erection of poles and overhead wires be prohibited where a pole line is replaced on a street and already has underground conduits for other purposes. With the provision, of course, that the use of the underground conduits would not be taken into consideration as interfering with, in any way, the present underground distances allowed by law, namely, four miles a year.

I would also suggest that a law be enacted giving the Fire Commissioner the exclusive authority to approve the erection of poles in streets for the support of wires and cables. Our Wire Division inspects the location, inspects the wires and poles and makes periodic inspections of poles and wires. At the present time power to grant locations for poles in streets is vested in the Street Commissioner.

Chapter 110 of the Acts of 1936, approved March 7, 1936, provides that in the month of January of the year 1937 and in such months in each year thereafter, to and including the year 1941, not more than four miles of streets in any one year can be placed underground. Under this law we are now restricted in the extent of our work.

It should be remembered that if a legislative action was secured by which all live wires were required to be placed underground in the City of Boston that a tremendous amount of expense would be involved by such a law. Practically all electric wires are alive at certain times. The placing of all live wires underground would mean the reopening and repaving of streets. Wiring work done by the Edison and the Telephone companies under such a law would have to be made exempt as we cannot compel the Edison or the Telephone companies to bear the expense of putting wires underground. However, legislation prohibiting the erection of poles and overhead wires on streets where no poles or wires previously existed would be worthwhile as would a law requiring that wherever a pole line is replaced on a street, that it be replaced with an underground conduit. In this way we could gradually accomplish the purpose of the order and eliminate the necessity of opening up streets and repaving throughout the city as would be required if all live wires were required to be placed underground.

Where the present law requires that not more than four miles in any one year can be placed underground, perhaps an increase of this limit from four miles to ten miles might be effected, and this figure might be included in the suggested legislation.

If you approve, I will submit these facts to the Law Department for their consideration and preparation according to legal form.

Respectfully yours,
WILLIAM ARTHUR REILLY,
Fire Commissioner.

Placed on file.

COLLECTION OF ASHES AND GARBAGE,
WARD 10.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the immediate collection of ashes and garbage in Ward 10.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 19, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received notification of order passed in the City Council on October 3 requesting the immediate collection of ashes and garbage in Ward 10, which has been neglected, due to the necessity of engaging all the city trucks in the removal of the debris, caused by the recent burricane.

Most of the men engaged in this work are welfare recipients and our progress has been disrupted at times, due to the inability to secure a sufficient number of welfare workers.

I have made arrangements with Acting Executive Director Daniel A. Murphy, of the Welfare Department, to transfer all welfare workers from the other divisions of the Public Works Department to the Sanitary Division, in order to provide a sufficient number, so that hereafter we should be able to make the collections once a week, as is the established policy.

I feel that this will remedy the conditions complained of and should result in no further complaints.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

UNDERPASS, BLUE HILL AVENUE AND
MORTON STREET.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the construction of an underpass at the junction of Morton street and Blue Hill avenue, to be constructed under a W. P. A. grant.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 19, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle—I have received notification of order that was passed in the City Council on October 3, 1938, requesting that the Commissioner of Public Works include in his highway construction program for 1939 an underpass at the junction of Morton street and Blue Hill avenue, to be constructed under a W. P. A. grant.

The cost to construct an underpass at this junction would involve the expenditure of several hundred thousands of dollars, which precludes the construction of such a project by the City of Boston under its present financial condition.

This project should be constructed and the entire cost assumed by the Commonwealth. A precedent has been set, in that the Commonwealth constructed an overpass at the Jamaicaaway and Huntington avenue, and assumed the entire cost. This work was done under a special legislative act, and I feel that the construction of an

underpass at Morton street and Blue Hill avenue could be done in like manner.

While Morton street and Blue Hill avenue are under the jurisdiction of the City of Boston, these highways are state-marked routes and are used more by vehicles that are registered outside of the city and, therefore, this proposed underpass would be more beneficial to them.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

FLASHING BEACON, WARD 12.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commission relative to your order of October 3, 1938, concerning the replacing of the flashing beacon at the corner of Harold and Hutchings streets, Ward 12.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, October 17, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order, dated October 3, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to replace the flashing beacon at the corner of Harold and Hutchings streets, Ward 12."

Due to the stringent reductions which were made in the budget allowance for this department during the current year, it has been necessary to effect economies wherever possible. At the beginning of this year this commission was maintaining traffic flashing beacons in ninety-six locations. It was mandatory that some of these be discontinued because the funds for purchasing acetylene gas which is used to operate these devices were seriously curtailed. After a careful survey the commission removed twenty beacons including the one formerly maintained in the intersection of Harold street and Hutchings street. It is impossible to replace this beacon during the current year.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

TRANSFERS WITHIN DEPARTMENTAL
APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
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,
MAURICE J. TOBIN, 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, Charlestown District:

From the appropriation for B, Contractual Services, \$190, to the appropriation for A, Personal Service, \$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 Municipal Court, West Roxbury District:

From the appropriation for A, Personal Service, \$100, to the appropriation for D, Supplies, \$100.
Referred to Executive Committee.

TRANSFER TO H, RELIEF PROJECT, AUDITING DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—The Budget Commissioner advises me that additional funds will be necessary in the H, Relief Projects, item of the budget of the Auditing Department in order to carry on the W. P. A. projects now in operation in that department.

I am further advised by the Budget Commissioner that the necessary additional funds can be supplied from the H, Relief Projects, item in the budget of the Bridge Service of the Public Works Department. This surplus in the Bridge Service is available, due to the fact that there has been a delay in receiving approval from the Federal Government for a project to paint and repair certain bridges.

I therefore transmit herewith an order transferring the sum of \$310 from the H, Relief Projects, item in the budget of the Bridge Service of the Public Works Department to the H, Relief Projects, item in the budget of the Auditing Department, and recommend adoption of the order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, 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 Works Department, Bridge Service, H, Relief Projects, \$310, to the appropriation for Auditing Department, H, Relief Projects, \$310.

Referred to Executive Committee.

RESURFACING OF TAPPAN STREET.

The following was received:

City of Boston,
Office of the Mayor, October 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Department relative to your order of October 3, 1938, concerning the resurfacing of Tappan street, Ward 20, and install sidewalks, under a W. P. A. grant.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
October 19, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received notification of an order passed in the City Council on October 3, 1938, requesting the Commissioner of Public Works to resurface Tappan street, Ward 20, and install sidewalks, under a W. P. A. grant.

We propose to have the resurfacing of this street done in 1939, under a W. P. A. project.

We are going to make a canvass of the owners in this street to determine if they are willing to pay the assessments on the sidewalk, if constructed under a W. P. A. project. These assessments will include only the city's contribution for materials. If they are agreeable to have assessments levied, I shall inform Councilor Lyons relative to this, so that he may introduce a lien order in the City Council, under the provisions of chapter 196 of the Acts of 1917, authorizing us to levy these assessments.

I recommend that the resurfacing of Tappan street be approved, and that the installation of sidewalks, as proposed under this order, be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Francis X. Crowley, for compensation for damage to car by city cart.

Mary DiMattia, for compensation for injuries caused by an alleged defect at 78 Salem street.

Raymond Farren, for compensation for damage to car by fire truck.

Helen F. Galley, for refund on fee paid for golf license at Franklin Park.

Hugh F. Garrity, for compensation for loss of false teeth at City Hospital.

James S. L. Kidd, for compensation for damage to car caused by an alleged defect in Sumner Tunnel.

Edmund L. Morris, to be reimbursed for execution issued against him.

Harry Gerald Rose, for compensation for injuries caused by city car.

Leon E. Slayton, for compensation for injuries caused by an alleged defect in Brookline avenue.

Antonio Tamgano, for compensation for damage to property at 124 St. Botolph street, caused by stone thrown by city worker.

A. W. Woodruff, for refund on refuse tickets.

Committee on Jitney Licenses.

Petition of Taunton citizens and bus riders in favor of petition of Eastern Massachusetts Street Railway for license to operate buses between Boston-Milton boundary line and Park square and Haymarket square as part of a through express route between Fall River and Taunton and Boston.

Petition of citizens and bus riders of city of Fall River in favor of petition of Eastern Massachusetts Street Railway for license to operate buses between Boston-Milton boundary line and Park square and Haymarket square as part of a through express route between Fall River and Taunton and Boston.

RENEWAL OF TAX TITLE LOANS.

Notice was received from the Emergency Finance Board of votes passed October 21, 1938, approving of renewal of following tax title loans:

\$14,500 due November 1, 1938
\$500,000 due November 1, 1938
\$1,000,000 due November 5, 1938
\$1,000,000 due November 19, 1938.

Placed on file.

FIREMEN'S RELIEF FUND REPORT.

The annual report of the treasurer of the Boston Firemen's Relief Fund, September 1, 1937, to August 31, 1938, inclusive, was received.

Placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

President KERRIGAN called up, under unfinished business, Nos. 1 and 2 on the calendar, viz.:

1. Action on appointments submitted by the Mayor October 17, 1938, of Constables authorized to serve civil process, viz.: Joseph J. Cunningham, Aldo Cavicchi and Morris Glick.

2. Action on appointments submitted by the Mayor October 17, 1938, of Edward L. Stevens, Ralph Serette and Ralph H. Cutter, to be Weighers of Coal; and P. H. Sheridan to be a Measurer of Grain.

The question came on confirmation. Committee Coun. Galvin and Sullivan. Whole number of ballots 17, yeas 17, and the appointments were confirmed.

WAVE AVENUE, WARD 13.

Coun. HUTCHINSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Wave avenue, Ward 13, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

BUS LINE, UPHAM'S CORNER—CITY HOSPITAL.

Coun. HUTCHINSON and DOWD 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 Upham's Corner, over Dudley street, Hampden street, Northampton street and Harrison avenue, to the City Hospital and return, with a five-cent fare.

Passed under suspension of the rule.

PAYMENT TO WIDOW OF SHERIFF KELIHER.

Coun. DOWD offered the following:

Ordered, That his Honor the Mayor be requested to direct and authorize the City Auditor to pay to the widow of John A. Keliber, late Sheriff of Suffolk County, the salary he would have been entitled to had he served until the termination of his term.

Passed under suspension of the rule.

"STOP" SIGNS, MILTON STREET AND GRANITE AVENUE.

Coun. FISH offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install "Stop" signs at the intersection of Milton street and Granite avenue, Ward 16.

Passed under suspension of the rule.

REPLACEMENT OF BATH HOUSE, COLTER'S BEACH.

Coun. FISH offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to provide for the replacement of the bath house at Colter's Beach which was recently destroyed by fire.

Passed under suspension of the rule.

ACCEPTANCE OF LEE STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Lee street, Ward 11, as a public highway under the W. P. A. plan of construction.

Passed under suspension of the rule.

ACCEPTANCE OF HIGHLAND STREET, WARD 15.

Coun. KELLY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Highland street, Ward 15, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

INFORMATION REASSESSMENTS.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to furnish the Boston City Council with the following information.

1. The number of homes owned by private individuals, and the assessed valuation of the same.
2. The number of homes owned by banking institutions, and the assessed valuation of the same.
3. The number of homes owned by corporations, and the assessed valuations of the same.
4. The number of business and mercantile properties owned by banking institutions, and the assessed valuation of the same.
5. The number of business and mercantile properties owned by private individuals, and the assessed valuation of the same.
6. The number of business and mercantile properties owned by corporations, and the assessed valuation of the same.

7. The number of pieces of property taken by the city for tax title, and the assessed valuation of the same.

Passed under suspension of the rule.

ACCEPTANCE OF ESTRELLA STREET, WARD 10.

Coun. CAREY offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Estrella street, Ward 10, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. IRWIN, 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.

CLASSIFICATION OF PERSONS FROM IRISH FREE STATE.

Coun. GALVIN offered the following:

Resolved, That the City Council of the City of Boston, in meeting assembled, hereby protest the practice of the immigration authorities of the United States in classifying persons coming from the Irish Free State as British subjects in view of the fact that the Irish Free State is now independent of control by the British Government.

Coun. GALVIN—Mr. President, the Secretary of State, Cordell Hull, still requires that immigrants coming from the Irish Free State be registered as British subjects. The Irish Free State, known as Eire, has been recognized by five different countries as an independent country and I believe the City Council of Boston should go on record as requesting Cordell Hull to recognize that situation. The order was referred to the Committee on Rules.

STUDY OF MUDDY RIVER.

Coun. AGNEW, CAREY and CHASE offered the following:

Ordered, That the Park Commissioner and the Commissioner of Public Works be requested, through his Honor the Mayor, to make a study of Muddy river, whereby it might be widened and beautified, same to be done as a W. P. A. project.

Coun. AGNEW—Mr. President, at the last meeting I introduced an order looking to an increase of the W. P. A. quota in Boston from the present 26,000 to 50,000. In case there might be an opportunity to do so, I have here offered an order that the Park Commissioner and the Commissioner of Public Works be requested, through the Mayor, to make a study of Muddy river, so that it might be widened and beautified as a W. P. A. project. We all know that where Muddy river comes down through Roxbury and the Back Bay it is anything but a pure stream, and so I suggest that, through the Park Commissioner and the Commissioner of Public Works, there be a project whereby the river might be widened, dredged and cleared of bushes and that sort of thing, so that it might add to the beauty of that section of our city and at the same time furnish honest labor to men in need of employment.

The order was passed under suspension of the rule.

ASSESSMENT OF BETTERMENTS ON W. P. A. STREET PROJECTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to reconsider his reported decision to assess betterments on adjacent property owners incident to W. P. A. street construction work.

Coun. WILSON—Mr. President, I learned last week that apparently a decision has been made by

the Board of Street Commissioners or his Honor the Mayor where W. P. A. street construction is done, to assess betterments against the adjacent property owners. We are familiar with the fact that for years that has not been the custom, but that such work has been done at no cost to the adjacent property owners. I understand now, however, that the Mayor is reported to have decided that there shall be assessments of betterments on adjacent property owners incident to W. P. A. street construction work. I feel that, as a matter of justice, since assessments have not been made in the past against adjacent property owners in connection with such work, it should not be done now. I might say, incidentally, that I hear in mind that after a great deal of discussion at the State House at this last session a \$5,000,000 fund was appropriated, supposedly for work relief. It was supposed to be used primarily for street construction work. If that is so, I trust that the money turned over by the state to the city, and now in the hands of the City of Boston, something over a million dollars, with the exception of about \$150,000 which was supposed to be spent on bridges, will be used for street construction purposes. As I have said, however, I do not think that people living on streets that are now to be constructed under W. P. A. should have betterments assessed upon them for such work when it has not been done in the past.

The order was passed under suspension of the rule.

INSTALLATION OF OIL AND GAS TANKS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor, after due inquiry of appropriate department heads, advise the City Council concerning oil and gas tanks installed in the City of Boston, exactly what provisions, if any, now exist with reference to checking the safety of the soil, and also the structural safety of any tank installed or to be installed prior to actual use of same by any person or concern holding a license to store any petroleum product.

Ordered, That his Honor the Mayor direct that such regulations he established as shall forbid the installation of any tanks or other receptacles for the storage of petroleum products unless or until the location, the safety of the soil support, and the structural safety and capacity of each tank, has been inspected and certified by a district chief of the Fire Department or a duly qualified engineer from the office of the Board of Street Commissioners.

Ordered, That the Board of Street Commissioners he requested, through his Honor the Mayor, to provide, incident to all applications for a license to store petroleum products, that any tank to be installed shall not be of a capacity of more than twenty per cent in excess of the number of gallons licensed to be stored in such tank.

Coun. WILSON—Mr. President, I feel that it is necessary that careful supervision should be exercised over this matter of oil and gas tanks to be installed in the City of Boston, because of the possible attendant danger. There were many such licenses granted during the dying hours of the last administration, and I seriously question whether a careful inquiry was made in every case. It is certainly important that such inquiry should be made, as to the safety of the soil and the structural safety of the tanks themselves. I was also rather amazed to find that where a man applies for a license to store 5,000 gallons, apparently there is no limit to the size of the tanks to be placed underground or erected. It is very easy for a licensee, under a license which permits the storing of 5,000 gallons, to put up a tank that will hold three times that quantity, and, unless he is closely watched, he can store much more than the license requirements provide. I also learned that apparently there is no definite engineering check-up either as to the safety of the soil in which the tanks are sunk or the construction of the tanks themselves. It may be that the tanks are duly looked over and certified by somebody before they are even delivered, but in a matter of such possibly dangerous menace to the public I think a careful inquiry and investigation should be made, first as to the size of the tanks as compared with the amount allowed to be stored, and, second, as to whether the soil is safe for the con-

struction of the tank. It is for these reasons that I have introduced these three orders at this time.

The orders were passed under suspension of the rule.

HOUSING PROJECT ORDER.

Coun. WILSON—Mr. President, I move that we take from the table the housing matter (No. 3 on the calendar) which we considered at our last meeting:

President KERRIGAN—The Chair requests the gentleman to withdraw the motion, as Mr. Breen is coming down here to meet the body, and I think it might be well that we talk with him in executive session.

Coun. WILSON—Mr. President, all right. I am always glad to listen to Mr. Breen. I never want to miss such an opportunity.

The motion was withdrawn.

RECESS.

On motion of Coun. FITZGERALD, the Council voted at 3.17 to take a recess subject to the call of the Chair. The members reassembled at 5.10 p. m., and were called to order by President KERRIGAN.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on message of Mayor and orders (referred today) for transfers within departmental appropriations—that same ought to pass.

2. Report on message of Mayor and order (referred today) transferring \$310 from Public Works Department, Bridge Service, to Auditing Department, H. Relief Projects—that same ought to pass.

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

LOW-RENT HOUSING PROJECT.

On motion of Coun. FITZGERALD, the Council took from the table No. 3 on the calendar, viz.:

3. Order determining that the city shall cooperate with the Boston Housing Authority in the construction of low-rent housing projects and approving a form of contract with the Authority.

The question came on the passage of the order.

Coun. FITZGERALD—Mr. President, there is no doubt that the week's delay on this matter has afforded members of the Council an opportunity to obtain knowledge which they would not otherwise have received. I feel, of course, that the Housing Authority is sincere and is going to take care of the sections included in their plans. There is, however, more than a serious question whether the best sections for work of this kind have been taken. This is a subject in which I have been interested for many years. I read in either the *New York Herald-Tribune* or the *New York Times* of last Friday a statement that the President had approved a large housing project in the State of New Jersey. I believe that item was in the paper of the 21st or 22d of October. I wonder where November 8 comes in, if that is the dead line. For three years we here in the City of Boston have been wrestling with this matter. Three years ago I was a member of a committee of the Council that went over to New York, where work of this kind had been carried out. The Boston Housing chairman at that time, Francis J. Murray, looked into the New York housing project and they tried to convince him that it was a fine thing, but he was not then in favor of it, although he later changed his mind on the general proposition. But there was then, as there has been since, a good deal of propaganda on this subject. I have been interested in housing development ever since the Government has undertaken to build low-cost housing, and, I may say, long before the Government undertook this experiment. I have endeavored for the past three years to try to have the life insurance companies do the same as they have done in New York, but have failed to obtain legislative authority. I believe that with private people receiving assistance from the Government we can have new low-cost housing,

and cite what has been done by Gerard B. Lambert. Gerard B. Lambert, a millionaire dollar-a-year assistant to Federal Housing Administrator Stewart McDonald, has long contended that there was a big field for private profit in low-cost housing. So strong was his conviction that he invested \$30,000 of his own money in a low-cost housing project in Princeton, New Jersey, his home town. The project consists of ten houses, renting for around \$30 a month and producing a 4 per cent return on the investment. Lambert holds that if this can be done on a small scale it can be even more successful on a large scale. The secret is the elimination of mortgages with their heavy interest charges and legal fees. He maintains that if the hundreds of millions of capital now lying idle were invested directly in low-cost housing, a vast field of profitable enterprises would be tapped and a great social need would be solved. Prentiss Coonley, unofficial ambassador of big business to the New Deal, also is trying to persuade a group of wealthy business men to finance "demonstration projects" in various parts of the country to prove that low-cost housing is profitable. I do feel that parts of this city where projects of this kind might well have been introduced have not been included. There are sections in the North and West Ends of Boston which compare to Hell's Kitchen and Mulberry Bend in New York before those two sections were wiped out. In Charlestown, Roxbury, South Boston and Mission Hill there is plenty of light and air which cannot be found in the North and West End sections. When the housing project was first put through in South Boston, it was put right opposite what I consider to be the most beautiful spot in the country as far as beach water and recreational centers are concerned. I feel certain that the Boston Housing Authority made absolutely no attempt whatsoever to ascertain the need for this work in the two most blighted sections of this country, and I say this according to statistics and reports prepared by social agencies and nationally known investigators, who are my authority. I do not want to appear to be opposed to housing, but this entire proposition is being railroaded through here today. It is my opinion that it was never at any time the intention of the Boston Housing Authority to give any consideration to the North, West and South End sections. When they talk of slum clearance, those sections should naturally have suggested themselves. Charlestown is fortunate in that it has a Congressman in the person of Congressman Flaherty, South Boston has Congressman McCormack, Mission Hill is, of course, where the Mayor was born, and they have taken a block bounded by three streets in the lower Roxbury section, which is mainly inhabited by a large colored population. They simply did this to show that there was not any discrimination. I have in mind a blighted area in the South End of Boston, in the block bounded by Way street, Albany street, Dover street and Harrison avenue. This entire section should now be condemned if the Building Department and the Health Department were to enforce the letter of the law, although if they did it would cause hardship and misery. The argument of the Housing Authority is that this section will eventually become an industrial and business center, which makes one laugh. Referring again to the New York visit of three years ago, at that time a committee of city councilors, which included Councilors Rosenberg, Kilroy, Finley, Doherty and myself, accompanied by Mr. Murray, then chairman of the Boston Housing Authority, visited the area then being considered by the New York Housing Authority, and Mr. Murray openly stated then that they did not intend to do anything about slum clearance. It was not until three years later that the present board decided that something should be done, and we, the City Council, were asked, after fifteen minutes, to give our stamp of approval of a matter which it took the Housing Authority three years to recommend. Under the new rule of the administrator, he will pay \$1.50 per foot for land, and if the Housing Authority in their discretion wish to take land worth more than that he will pay one third of any additional cost, with the Authority paying the other two thirds, which can be added to the local bond issue. This, without a doubt, will require higher rentals which a project in the West End could very easily overcome, as the bread winner in any family in the project on the outskirts of the city would be required to pay \$5.20 a month carfare. This \$5.20 added to the rental per

month would, without a doubt, compensate for the additional rental needed to pay off the bond issue, without adding any further burden on the tenant than he would ordinarily have to carry at lower rentals on the outskirts of the city. The impracticability of this plan has been demonstrated in London, where an attempt was made to drain the people from the slum areas onto projects in the outlying sections. People strenuously objected, for several reasons. First, there was the distance from their places of employment and, secondly, they did not like a new and strange environment which took them away from their friends, the movies, the corner drugstore and the "pub." In several surveys which have been made of the movements of families when slum areas have been demolished, it has been demonstrated that they rarely ever moved more than a mile away from their former habitat. This is the human side of the problem, which is so often overlooked. It is, however, extremely important, since the whole object of low-cost housing is to provide the more abundant life for that lower third income group which Mr. Roosevelt so frequently talks about. For the past thirty-five years every social group and every young man and young woman attending Harvard College and Radcliffe College, who are interested in studying the needs of the poor, have made what they term a tour of the slums, and made it a point to visit the North and West Ends. They made reports. I have here such a report that they made in 1934. They use this survey in the course which helps them get through college, yet these two blighted areas have been forgotten for the past twenty-five years, except when former Mayor Curley wiped out the notorious Webster avenue in the North End and built the Prado, which the social uplifters and reformers were against, doing everything they could to embarrass him, notwithstanding the fact that everyone says that it was the greatest piece of work done to eliminate slum clearance, except the work in New York done under Mayor LaGuardia. There was also the Cattillo Playground, built on Morton and Stillman streets, in back of Endicott street, where Mayor Curley wiped out several slum properties. Charlesbank Park, which was the first open-air gym in the country, was destroyed with the widening of Charles street, as well as the girls' gym, and the same were never replaced. I say that it was unfair for the Housing Authority to go about this matter without proper investigation. It is proposed to spend \$27,000,000 or more. I believe that my attitude in this matter is justified, in protecting the people of the ward which I represent. However, in view of the hue and cry that has been made, and because an attempt is being started to do something in the way of slum clearance, although I believe that the best sections for slum clearance have not been selected, I shall vote for the order. I make no apologies, however, for my remarks or votes in reference to this so-called \$24,000,000 slum clearance. I am simply voicing the feeling of my district, which has been deprived of slum clearance in this matter. The hour is late, and I shall not take your time further. I do wish my feeling, however, to be expressed and to stand in the records of this body.

Coun. SHATTUCK—Mr. President, I am not opposed to Government aid toward improved housing for families of low income. In fact, I am in favor of such aid. The present proposal, to which I am opposed, goes much farther. It extends to families with incomes up to \$2,200 a year, families which ought to be able to pay their own bills without Government subsidy. In addition, it provides more than what would ordinarily be called a subsidy. Government money provides not for a part, but for all, of the cost of both land and buildings, and to this is added almost complete tax exemption. The tenant pays only the annual cost of heat, light, janitor service, care of grounds and repairs. The per unit cost, including land, is \$5,000 to \$6,000 per family. Both land and buildings are a complete gift. The cost of extending any such grants to all who come within the purview of the law would be untold billions. I do not believe that the Government ever will or can go through with such a program. I am opposed to providing gift land and houses for a few at the expense of all the rest. I believe that the law should be amended so as to apply to the really poor, and that the plans should be simplified and costs reduced, and that each family should pay something, if only a little, toward the cost of land and

buildings. If this is done, we can go forward with a program which can be carried out in a reasonable time and which will treat all alike. It is true that construction of these housing units would give immediate employment. That, however, is no excuse for supporting an unsound plan. It is always easier to say "Yes" than to say "No," but the easy way is not always the best way. And in this crisis, there has been altogether too much "Yes, Yes," and not enough "No, No." For the sake of immediate benefits many things are being done which invite disaster for the long pull. We have been told that this housing bill has been handed to us from Washington, and that we should cooperate. But cooperation, as understood in Washington, means "Sign on the dotted line." In Germany it is "Heil, Hitler." The Washington equivalent is "O. K., Chief." Firmly believing that housing under this bill will give large benefits to the few at the expense of the many just as deserving, I am not ready to say "O. K., Chief," and am willing to take full responsibility for being out of goose-step.

Con. CHASE.—Mr. President, I have been a member of this body for only nine months, and during that time I have endeavored to honestly respect and not unjustly criticize the opinion of the other members. Mr. President, some time ago you asked me to serve on a committee of three to attend a brotherhood meeting where Catholic, Jew and Protestant met in this historic hall. I assume, Mr. President, that your selection of me at that time was because you recognized me as a liberal fair-minded person who believed in the American principle of recognizing the other man's rights. Mr. President, I come from plain old-fashioned Yankee stock. I am a poor man. As a boy in the South End of Boston I sold newspapers. As a young man I worked as a dishwasher, as a bell boy, as a pick and shovel man. My education was obtained in the Boston public schools and evening law school. You will agree with me when I say that my early experience in life should well qualify me to know the needs and wants of the working classes. I am more than sympathetic with their problems. I have always tried to be helpful to them because I consider myself as one of them. When I voted to table this matter I felt that it was the only fair thing to do and if you remember I said at that time: "This matter involves the expenditure of twenty-odd millions of dollars of the taxpayers' money. It also involves the rights of those poor unfortunates who will be evicted from their homes and will have to seek quarters elsewhere. It is too tremendous an affair to give hasty judgment on. I would like to know more about what will happen to those who are not earning sufficient money to pay the required rent. These are the people who should really benefit by this program and under circumstances they are not. When this Government program allows Government employees earning \$1,500 to \$2,100 a year to become tenants in these housing projects in preference to others who are not so fortunate, then I say something obviously is radically wrong." Now, Mr. President, I haven't changed my mind one iota since then—as a matter of fact, have many more good reasons why this matter should be thoroughly investigated before final action. Mr. President, I like most of the other members of this body who voted to table this matter, have had all sorts of high pressure played on me in order to change my vote. I have here a letter from some sort of a racketeering organization which pretends to be working for the best interests of the citizens of Boston:

"My dear Mr. Chase,—The Boston Herald of October 20 carried the amazing news that you voted to table the \$17,000,000 Federal loan to enable Boston to undertake five housing projects. We protest your vote as a betrayal of the welfare of the citizens of Boston."

Well, I say to the representatives of this racketeering organization that they ought to change their name so that it would read "The United Office and Professional Second Story Workers of America," and that they ought to spell out the full name of their other organization so that it would read "Communist International Order." I further say to the representatives of this organization to go back and tell your Communist leaders that the Boston City Council is fighting for the rights of the overwhelming majority of the American citizens of Boston, namely, the poor man who is not earning enough money to pay the required rent in these housing projects. The poor unfortunates on welfare, the old people receiving Old Age Assistance,

and last, but not least, the taxpayer. Mr. President, because of the heavy pressure that has been brought to bear I feel that there must be something radically wrong. Mr. President, I am sure that President Green of the American Federation of Labor, and every other fair-minded labor man, would not expect us to give hasty consideration on this matter. We all know that this Honorable Body has a sacred trust to discharge—we should not give hasty judgment on a matter so intricately involved. Let us endeavor to fight for the rights of those who need our protection and don't allow ourselves to be sandhugged into believing that unless we pass this measure today that Boston will lose the money. Assuming that we do pass this matter without giving the proper consideration to it, how would this Honorable Body like to wake up some morning and find a big scandal involved in this seventeen million housing proposition—a scandal that we could have prevented, something which if properly checked into would probably have been foreseen. Mr. President, I am sure we all would rather see that the real poor and unfortunate people of Boston would benefit by this program and not the slippery racketeering real estate sharks and conniving contractors. I believe that the news in the Boston Sunday Advertiser should wake up this body as to what might happen if we are too hasty. I have a copy here, I'll read it.

"\$10,000,000 FRAUDS IN P. W. A., W. P. A., BARRED BY UNITED STATES BOSTON PROBE. POLITICIANS SHARED IN ILLEGAL PROFITS ON CONTRACTS.

Evidence of flagrant fraud and graft in Boston and New England P. W. A. and W. P. A. projects involving more than \$10,000,000 was in hands of the United States Treasury Department in Washington yesterday, the Boston Sunday Advertiser learned exclusively.

This evidence, threatening a Boston political ring and hundreds of contractors throughout New England with immediate Federal prosecution, was contained in a highly confidential report by an undercover squad of United States secret service agents. Assigned to a New England investigation more than a year ago, over the heads of P. W. A. and W. P. A. authorities here, these agents have just completed their far-reaching probe.

"SPLIT WITH POLITICIANS.

"Results, the Boston Sunday Advertiser learned, were the uncoverings of amazingly hold and big-scale profiteering, in Federal contracts in Greater Boston and New England, with contractors and politicians cozily splitting the fat proceeds.

Administrative heads of the Federal agencies here were allegedly duped by shrewdly falsified figures and a careful pretense of honest dealing.

How the evidence was gathered, hit by hit, by groups of the Government's most trusted and skilled Department of Justice operatives was a thrill story still being withheld by Washington yesterday.

Revealed, however, was the general outline of the alleged set-up organized to skim financial cream off every principal allotment of Federal cash for New England work relief projects.

The amazing report of the Secret Service agents informed the Treasury Department that an inner circle of high-up politicians here tipped off the ring of favored contractors when bids on big P. W. A. or W. P. A. jobs were to be requested.

Then these contractors, with approval of the political sponsors of the fraud racket, met secretly at one of several Greater Boston rendezvous.

There between themselves, the contractors divided up prospective projects.

A 'low' bid, actually far higher than would otherwise be offered, would be agreed upon for each project and one contractor would be authorized by his fellows to make this 'low' bid.

The others would pledge themselves to make still higher bids, throwing the job to the favored firm.

Next time it would be another contractor's turn to get the 'gravey.'

By this collusive bidding, with politicians and 'fixers' giving the ring their blessing and protection, everybody won—except the Government and the long suffering taxpayer.

The contractors scratched each other's financial backs happily and inflowing profits all along the line were ample for generous 'kickbacks' to political sponsors of the alleged graft and fraud.

In many instances, Federal investigators learned, these 'kickbacks' took the form of Christmas and birthday 'gifts.'

One politician was remembered on a recent Yuletide to the extent of \$15,000 in one lump sum, Secret Service agents learned.

Another politician found \$10,000 in his Christmas stocking.

Under just what grounds prosecution of the graft-takers and collusion bidders would be instituted was undetermined today, although the apparent certainty of a drive to jail or heavy fine of alleged guilty persons was admitted.

Probability was seen that the prosecution might be handled from Washington, possibly on grounds of income tax evasion."

Now, Mr. President, we were elected to serve the people and to use a reasonable amount of our own judgment in a matter so tremendous. I, personally, am in favor of getting every side of the picture and the only way we can secure that is by calling in all those who are directly or indirectly affected by this housing proposition.

Coun. GALVIN—Mr. President, coming from one of the areas where it is proposed to put through one of these housing projects, I am looking at this question with regard to the interest of the district in which this property is about to be set up. I have found that there are approximately 660 units in this area. I have also found that out of the 660 units there are approximately 440 individual home owners who now reside in the area. I see no way whatsoever in which there could be coercion among the 440 property owners through any director. I see no coercion on the part of the Boston Housing Authority. I myself, having been born and brought up in that district, know it from end to end. Years ago the Charlestown section was an important city by itself. When it was annexed to Boston it hrought much to Boston. In return, Boston, over a period of sixty years, has given to Charlestown one high school, one fire house and one library. Today the people of Charlestown are clamoring for this housing project. They are looking forward to the approval by the Boston City Council of these units set out by the Boston Housing Authority. They are pleased to think that the Boston Housing Authority has considered them in this matter and I am here to state, and I want the members of the City Council and the people of Charlestown to know, that I am 100 per cent in favor of bringing this project to Charlestown.

Coun. CAREY—Mr. President, a favorable vote on housing is the easiest position for a councilor to take, and I am inclined to support the measure which is before the Council on the general theory that the benefits will outweigh the burdens and detriments, which I am anxious to mitigate as far as possible. To provide better homes for people who now live in sub-standard dwellings is an ideal which every right-minded person can favor. As the representative of my constituency I have an obligation which I can only fulfil by pointing out some of the far-reaching effects which this development will have on my entire district and upon the entire City of Boston. It is conceivable that the first advantages would accrue to the promoters, the supply houses, the workmen employed, and lastly to the families admitted as tenants. And may I say, relative to the matter of the workmen to be employed, that since becoming a member of this body I have worked day and night, seven days a week, trying in every way to find work for the unemployed. On the other hand, I would like to enumerate the factors which are adverse to the interests of large numbers of people.

1. The rent scale is too high to remedy the conditions under which the very poorest of families are forced to live. The proposed plan contemplates a service to a group now better able to sustain themselves.

2. Present property owners may find that they are not going to receive a fair price for property which, especially in my district with the opening of the Huntington Avenue Subway, might reasonably appreciate in value during the next five years.

3. Present tenants who are dispossessed will be forced to move into sections now overcrowded, and during a period of nearly two years will be forced to pay much higher rentals than they are now paying for even worse accommodations.

4. The poorest people who now live in this area at rentals as low as \$2.50 per week, which is all they can afford out of present income, will not be able to pay the minimum of approximately

\$24 per month in the new development and many of them will never be able to rehabilitate themselves.

5. Home owners in the vicinity of the development will find it difficult to rent their property for a fair return and the result will be eventually that many of them will lose their homes through foreclosure by the city for taxes, or by the bank for failure to pay principal and interest on their mortgages.

Consequently, I demand as a condition for my vote that the Housing Authority consider the following proposals:

1. That fair valuations be placed on the properties to be taken.

2. That admissions of tenants be assured under more generous terms to families who are forced to move out of this area.

3. That rentals be revised downward if it develops that construction costs can be reduced from \$1,250 to \$850 or thereabout.

4. That some provision be made for families with more than four children.

5. That further housing developments be planned with cheaper units so that the very lowest of rentals be made available for Old Age Assistance and Mothers' Aid cases, and the like.

6. That the property owners in the districts who now have their homes in these areas be given every consideration to which they are justly entitled as the backbone of these localities over a great many years, in that they be given every opportunity to make their homes there.

7. That the Housing Authority consider as a most important part of this program the construction of one-family and two-family houses, even if it might result in a smaller number of units.

Coun. ENGLERT—Mr. President, I am very much interested in this housing project. The reason why I did not vote for the project last Monday was because I wanted more information before voting for a matter involving \$24,000,000. For that reason I voted to lay on the table. I realize, however, that people are going to be put at work, and, therefore, I trust that the Council will pass it. I shall vote accordingly.

Coun. ROSENBERG—Mr. President, I was a member of the special committee of the Boston City Council that three years ago made a trip to the city of New York to cooperate in a program arranged between the City of Boston and the city of New York for the Community Chest Fund of the city. It was while in New York City that the housing and building authorities took the members of the Council committee on an inspection tour of the low-cost Federal housing projects. We viewed those structures that were completed and others in the process of construction. We observed the slum areas. We saw sub-standard and unsanitary homes, which were unfit for human habitation which were subsequently razed, and in their places housing units erected, where, for the first time in years, those families that had not been able to live in clean, modern and sunlit rooms or apartments, due to the limited family income, were being made available through the cooperation of the Federal Housing Authority with the local city commission. We also observed that where disease and sickness was prevalent, an opportunity was being made available for those families of working classes to secure modern housing facilities, that they previously could not afford, with proper sanitation and under healthful surroundings. The city of New York had at that time taken steps to alleviate disease and sickness that was so prevalent in the areas where the new housing projects were undertaken. With the information gained, I can approach the housing problem in a serious and thorough understanding of conditions dealing with the principle of slum clearance. The present order to determine whether the City of Boston shall cooperate with the Boston Housing Authority in the construction of low-rent housing projects and approving a form of contract with the Authority for some \$24,000,000 for construction was presented to the members of the Boston City Council for the first time at the meeting held last Monday, although this matter has been under consideration by the Housing Authority for some months. For the purposes of the record and in order that there may be no question as to my position in connection with the present program of cooperation with the Housing Authority, let me state that in voting to table action on the program last week was the move that any reasonable, prudent, conscientious public servant would have done to serve the best interests of the

people not only of the district that one represents, but the city as a whole. There are those persons known as alarmists who act hastily without proper consideration of the problems presented before them, while, on the other hand, there are those persons who believe in weighing all the facts, figures and problems presented before them in a careful and cautious manner. It is far better for the best interests of the community one represents to act with a clear mind and conscience rather than to act in haste. I have always been in favor of low-cost Federal housing programs and I am one of those who believe, before voting on any measure, an opportunity should be given to every member of the Council to carefully and clearly study in detail the features of the proposed program before casting a vote. The members of the Council who voted last week to table action on the proposed new cooperative agreement for Federal housing did so in order that they might gather certain facts, data and information to justify their voting one way or another on the proposal. Surely, no one can honestly find fault with the councilors in this respect, particularly when an agreement involving \$24,000,000 is under consideration. The members of the Council were entitled to time to consider the entire program to be satisfied of the various phases involved to carry out contemplated undertaking. On three different days the members of the Boston Housing Authority, under the leadership of the chairman, John A. Breen, have appeared before the Council to enlighten the members on the different aspects of the proposed cooperative agreement to be entered into with the Federal Government, by the authority which requires the sanction of the City Council. It was as a result of these hearings before the Council that the members of the body were able to gain a more comprehensive understanding of the program. The delay in action of one week has gained for the members of the Council a source of information that has unquestionably given the body an opportunity to clearly understand the problems involved and to justify the action of the respective members. Mr. Breen and his board have been frank and cooperative in granting to the Council such information as requested for a better understanding of the new housing program to be entered into for the various sections of the City of Boston, in the slum clearance program. The action of the Council is one that they were justified in acting as they did during the past week. We are living in a democracy. We are elected to represent our respective communities, and we are responsible to our constituency for our stewardship and if we do not take the time to study carefully matters that are presented before us we would not be performing our duty as public servants of our respective communities. The members of the Boston City Council are a group of public servants who have the best interests of the city at heart, who need no coercion to act, and who can be relied upon to do what is right for the city. The program before the Council is the largest undertaking for the city to come before it at one time for a new enterprise such as is here involved, and undoubtedly the members of the Council were entitled to at least one week to consider carefully and scrutinize the merits of the proposal. In view of the remarks purported to have been made by his Honor the Mayor, recently in his outlook for 1939, that we may be faced with a \$45 or \$46 tax rate, it was our duty to act cautiously and not in haste. I am fully appreciative of the needs of the unemployed in our city, and I believe that every member of the Council appreciates the necessity of doing everything possible to secure jobs for those who are not engaged in industry. We in this body are confronted daily with a cross section of our community seeking employment and we are doing our best to try to alleviate the conditions existing. If an opportunity presents itself to place thousands of persons at work, we are only too anxious to see that they are placed to work. Statements have been made that the low-cost housing program should be such as to be open to persons in the lowest income class and the most needy cases. I am heartily in accord with such a plan, and would urge that every effort be exerted to bring about such a program in future housing projects, to take care of proper and sanitary housing for the poorest in our communities, so far as humanly possible. It should be our province to secure as far as possible activity for the abolition of slum areas, together with the demolition of sub-standard houses that are the source of disease and sickness. There has been earmarked, as we have been informed, for the City of Boston

\$24,000,000. After having gone over all the facts as presented to the Council by the Housing Authority during the past week I am fully satisfied that we should take advantage of the funds the Federal Government is offering Boston for low-cost housing. The opportunity is such that we should take advantage of clearing some of our slum areas and replacing them with modern units, under the Federal grant. We have been informed that the terms under which the money is offered to Boston for the contemplated program by our Housing Authority is on terms that are more liberal than have been offered other cities and in other states. We must avail ourselves of the opportunity to sanction the program here, for if we do not accept the program the funds offered us will go elsewhere. Let me also call to your attention the fact that if we reject the program and the money goes to some other state or city, whether we like it or not, we here in Boston and Massachusetts will indirectly be paying for the low-cost housing. Boston and Massachusetts pays a high proportion of the per capita tax assessed throughout the United States on individuals and corporations. There is the likelihood, from the information we have now on hand, if we take advantage of the present offer of funds that additional funds may be made available by the Federal authorities for the use of slum clearance and new low-cost housing units in other sections of Boston that have as yet not been entertained, and in which areas there is a great need for such a program. It is also important to bear in mind that under the Wagner-Steagall Act there is no wholesale increase in the number of apartments to be made available for an equal number of so-called units, apartments or flats must be demolished to carry out the full intent of the Federal Housing Act. Having carefully gone over the facts, figures and outline of the program before us under consideration, I am confident that for the best interest of the city we should act favorably upon the cooperative agreement. The Boston Housing Authority, under the direction of Mr. Breen and his associate members of the board, I believe are sincere and frank in their efforts to do everything possible for the best interests of our community. I am going to vote for the agreement ratification and sincerely trust that the other members of the Council will join with me and vote to carry out the program this afternoon.

Coun. WILSON—Mr. President, what I shall have to say is entirely for the record, because I gather that the Council is now in favor of this so-called co-operative agreement. I am glad, as a member of the Council, that we are at last in the position of taking a vote after the members have at least read the contract. So far as Mr. Breen is concerned, I believe in his appearances before the Council he has been not only extremely fair, but, so far as this housing proposition is concerned, unusually frank in his statements to the members of the Council and even in response to questions asked by those whom he has reason to believe would be against this proposition. I do want to say something upon this at this time, as a matter of record, because it is an important vote, one of the entering wedges for the spending of millions of dollars, and I, for one, agree with the previous speaker, that it will not clear away many slums or, as a former Mayor of the city has said, benefit the real slum area of the city, which has suffered more injustice and misfortune than any other section. I bear in mind that 90 out of 282 families in one of the units concerned are on public welfare at the present time, and those 90 persons, strangely enough, will not be placed in the housing unit in that section but will be moved, as former Mayor Fitzgerald said, to some other area. Forty per cent of the persons living in the proposed Mission Hill housing area are on public welfare, and they will be moved, bag and baggage. And that is not a slum area, and, to my mind, there are other areas in the City of Boston that need far more attention in the matter of slum clearance. We have been told that, in order to live in any of these projects, the head of a family must be able to show that he earns at least \$25 a week, and that does not mean just at a time when he is lucky enough to get that for a while, but it must appear after thorough and complete investigation that he must have \$25 a week for a permanent job, week in and week out, month in and month out, year in and year out. And so these projects are not going to bring sunshine to the suffering poor, the 50,000-odd poorest families in Boston who must live in a slum area. I believe there

are 33,000 families, Mr. Breen estimates, who would come within the purview of the proposed act, now living in sub-standard housing. There are 33,000 such families in Boston, and when the 3,000 families who are to be provided for move into these four projects it will still leave 30,000 families unprovided for. To provide for the 1,000 families in the Old Harbor project cost \$6,500,000, and if eventually the 33,000 families who are claimed to come within the provisions of the act are provided for it will cost \$214,000,000. That will be just to make provision for those earning at least \$25 a week and if action is finally taken for other needy families it will be at a cost of at least \$439,000,000. So much for the poor. I raise that point because this whole so-called slum clearance and housing project has been distorted into something that was for the benefit of the poor. But how about people who cannot be accommodated in these projects and who have to pay for a house without any assistance from the public? I am now speaking from the point of view of those who are paying the hills, small property owners of the City of Boston. Mr. Breen was very frank in the matter. If a property owner, privately owning property, had to get this same accommodation and pay his taxes, instead of paying \$5.50 per room per month, amortized over a period of years, he would pay \$18 to \$20 a month. In other words, there is worked out under these projects nothing more nor less than the creation of a special little class, 3,000 out of 33,000, making an average of \$25 a week, who are given these privileges and this special treatment with public money. And I say that many of these thousands who cannot avail themselves of this privilege are in much worse condition than those who are making \$25 a week. Certainly, the limited number who are to be provided for are a special class, and the whole thing is unfair to those who cannot be so provided for, and unfair to the small property owners of Boston who must pay \$50 to \$55 a month for an apartment for which these specially chosen people are charged but \$22.50. And the people living in apartments in West Roxbury, Dorchester, Roxbury and other sections, paying \$50 or \$60 a month for apartments, are in the main paying the hills. And there is nobody who has any interest in or who is taking care of the private property owners. Let us also bear in mind, with all sympathy, that there is many a two-family house that cost years ago \$12,000 or \$14,000, perhaps owned now by widows in very much reduced circumstances, like beggars on horseback—and I say this with all due respect and sympathy—because it is through no fault of their own. Those people are now in many cases living in those two-family houses that once cost \$12,000 or \$14,000, and if you go into those houses you will probably find not even rugs on the floor, and perhaps very little food in the kitchen. You will find those people in very much worse shape than the \$25 a week families that are going to be privileged by an opportunity to move into these projects, in which so much is provided for them at such low cost, with their two or three children. And so I say, this whole thing is unfair to the very poor, who do not get \$25 a week, and it is unfair to those who might qualify but for whom there is not room, and it is unfair to those who have to pay the hills. In other words, you are creating a special class with public money. And so I have no apologies to make to anybody for voting against these projects. I am answerable simply to my own conscience in so voting. I do so because I feel that they are unfair to the really poor in the slums of Boston, that they are unfair to the 30,000 out of the 33,000 who cannot be taken care of, to them and to others who will really be carrying the load for this special class, who should not be treated differently from other equally deserving classes in the community.

Coun. AGNEW—Mr. President, I wish to say just a word. A week ago I asked approval of my motion that a special meeting of the Council be held to consider this matter further. The assignment to a special meeting finally prevailed, and I am sure that after the discussion we have already had in this body and after the consideration that postponement enabled members to give to the subject, our members must have received further and valuable information. I am now going to vote for this matter today. I am content to do so after the consideration I have been able to give to it for the past week. I am in no way swayed by letters, telegrams or

anything else that have been sent. I am content with myself after the consideration I have been able to give to this housing matter and after the information we have received from Chairman Breen. I think we should at least afford the opportunity of putting into effect some of these programs that the Federal Government offers us. I do feel thankful that we have all had an opportunity to properly consider the matter before being called upon to act, that we have had the privilege of a week's time for further consideration. I think, therefore, that the purpose with which I moved the special meeting of the Council has been served, that we have obtained necessary information through the previous meeting and our meeting here today, and that we are now prepared to act.

Coun. LYONS—Mr. President, for the past week or so there has been a lot of talk back and forth in regard to housing. I have run across people who have accused me of voting against housing. I want to make my position clear in regard to housing. I have received telegrams and letters and have met people on the street who have said that I voted against housing, which I did not. We are all in favor of housing here, if it is done in the right way. The way the proposition was placed before us last Monday it would be suicide for us to accept it the way some councilors did. They ran to the newspapers and gave out different interviews in regard to it. But, after all, it was a \$24,000,000 proposition, sent to us with no time whatever to consider it, and why should we vote upon it immediately without time for examination? So, Mr. President, I am not sorry that I voted the way I did. To those who think my vote was hostile, I want to make this explanation. I have people in my mind who wanted to get better housing and who went over to the South Boston project, but because they have fairly good houses they are not allowed to go there. They are people getting \$25 and \$30 a week. In the ward I represent the average pay is only about \$2,200 a year, and many of those people would like to get apartments such as would be provided under these projects, but are unable to get in. There is no guaranty today that if these units are accepted and this proposition is signed, the slums of Boston will be cleared up. At the present time the City of Boston has in the neighborhood of 1,600 parcels of property, but I understand that only 125 or 130 parcels will be included in the three units that are going to put in housing. The City of Boston will still have in the vicinity of 1,400 parcels. One would think, after all the housing talk we have had, that the City of Boston would collapse if we didn't accept these projects. Well, I hope that we will accept them. I am in favor of giving the thing a fair trial and of putting men at work, just as much as any member of the Council. When we talk about slums, there should be some program arranged through the Federal Government to start something that will do away with the slums. I would like to see an improvement in living conditions in Boston, and I believe an expenditure to improve things out our way, perhaps putting through Washington street as another Commonwealth avenue, would bring back returns manifold in improvement in housing and living conditions. Certainly, we are all in favor of improving housing conditions, and we are all in favor of putting as many men as possible at work. And so at this time, without further delay, I am ready to go along on this matter with a favorable vote for housing in Boston. I am with it 100 per cent, and I don't think I can be accused of hedging or dodging, as they classify it. As long as we can do away with the slums and put people at work, I am in favor of it.

Coun. MURRAY—Mr. President, like several of the speakers here today, I have no apology to offer for casting my vote in favor of postponement until we could have a chance to get proper information on such an important matter. I think the vote that we cast to postpone this matter until today was an intelligent vote. Any person who can see beyond the tip of his nose must realize that, on a matter involving \$24,000,000, some time was needed for consideration. We have had that time, and we are now prepared to vote. We are sent here by our constituencies, from South Boston, Charlestown and other sections of the city, to represent them in the City Council and to use our God-given intelligence in voting. When we do that, we do not have to apologize. The newspapers have accused us of

voting against housing. Our vote to delay, so that we would have proper time to examine into the matter, was not a vote against housing, but a vote to give us time to study the subject. There should be something done in the way of slum clearance at the lower end of South Boston. There is a wonderful chance there, at A, B, C and D streets. I think further consideration should be given to this whole matter by the Housing Authority, and that they should look at the lower end of South Boston. Why not pick out some place that is a slum, where people just exist? That is the situation that confronts us. We have had our opportunity for study, and I am now prepared to vote, and am going to vote in favor of the proposed housing plan, still trusting, however, that the Housing Authority will look at the lower end of South Boston, which is certainly a proper place to put in a housing project.

Coun. NORTON—Mr. President, I want to thank the Council for the action it has taken. I can understand the position of members on this matter on both sides, those who wished to put it through at the last meeting and those who felt that a proposition involving \$24,000,000 warranted delay. I thoroughly sympathize with the attitude of those who wished delay.

Coun. AGNEW—Then, why didn't you vote for delay last week?

Coun. NORTON—For this reason, that when the President offered us \$24,000,000 for slum clearance, I was prepared to immediately grab it. That is the reason. I can understand, however, why other members of the Council desired delay to look into the matter, feeling that they were entitled to that consideration. I feel, in times like these, when we have an opportunity to put through these projects that mean better living conditions for the people, that we should seize the opportunity, and that there is sometimes too much opposition to things that come from Washington. However, I am not going to take up the time of the body at this hour unnecessarily. The members have been very kind to me. Some of them at the last meeting opposed immediate action, but now that they understand the matter most of them are for it. I

think much thanks are due Mayor Tobin for hastening action from Washington on this housing matter. If it were not for the Mayor and his advisers I don't believe we would have it before us today. However, I want to thank the members for their attitude, and I hope that eventually we will have not \$24,000,000 but \$50,000,000 or \$100,000,000 for this purpose in this city.

The order was passed, yeas 17, nays 3:
Yeas—Coun. Agnew, Carey, Dowd, Englert, Fish, Fitzgerald, Galvin, Harris, Hutchinson, Irwin, Kelly, Kerrigan, Lyons, Murray, Norton, Rosenberg, Sullivan—17.

Nays—Coun. Chase, Shattuck, Wilson—3.

REPORT OF COMMITTEE ON RULES.

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

1. Report on resolution (referred October 17) requesting British Government to carry out terms of Balfour agreement *re* homeland for Jews in Palestine — that same ought to pass.

Report accepted; said resolution passed.

FAMILIES RESIDENT IN PROPOSED HOUSING AREAS.

Coun. WILSON offered the following:

Ordered, That the Boston Housing Authority be requested to give—

(a) The total number of families now resident in each of the four proposed housing areas; and
(b) The total number of resident owners included in that number.

Passed under suspension of the rule.

Adjourned, on motion of Coun. FITZGERALD, at 6.20 p. m., to meet on Monday, October 31, 1938, at 2 p. m.

CITY OF BOSTON

Proceedings of City Council.

Monday, October 31, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Dowd.

TRANSFERS WITHIN DEPARTMENTAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 31, 1938.
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,
MAURICE J. TOBIN, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he, and hereby is, authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for F, Special Items, \$500, to the appropriation for A, Personal Service, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor he, 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, \$2,300, to the appropriation for B, Contractual Services, \$1,315; F, Special Items, \$985.
Referred to Executive Committee.

UNEXPENDED BALANCES OF LOANS.

The following was received:

City of Boston,
Office of the Mayor, October 31, 1938.
To the Members of the City Council.

Gentlemen,—Under the provisions of chapter 174 of the Acts of 1928 unexpended balances of loans issued outside the debt limit of the city may, provided two years have elapsed since all expenditures under the loans have been made, be paid over to the Sinking Funds Commission for the purpose of reducing the debt of the city. The records of the auditor's office indicate that the following four loan accounts have been inactive for the past two years:

Hospital Department, Children's Pavilion.
Chelsea North Bridge, Repair and Strengthening.

East Boston Ferry, Two Additional Boats and other Permanent Improvements.
Centre Street.

It is evident therefore that the balances remaining in these accounts are no longer required for the purpose originally specified in the authorization of the respective loans, and I therefore recommend that they be disposed of in the manner provided by law.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That in accordance with the provisions of chapter 174 of the Acts of 1928, the City Treasurer, with the approval of the Mayor, be authorized to pay over to the Board of Commissioners of Sinking Funds of the City of Boston the following unexpended balances of loans issued outside the limit of indebtedness which are no longer required for the purposes specified in the authorization of such loans.

| | |
|---|-----------|
| Hospital Department, Children's Pavilion..... | \$465 44 |
| Chelsea North Bridge, Repair and Strengthening..... | 588 96 |
| East Boston Ferry, Two Additional Boats and other Permanent Improvements..... | 19,064 81 |
| Centre Street..... | 34,869 20 |
| Referred to Executive Committee. | |

APPROPRIATIONS FOR SOLDIERS' RELIEF AND WELFARE DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, October 31, 1938.
To the City Council.

Gentlemen—I am advised by the Budget Commissioner that it will be necessary to provide additional funds to the Soldiers' Relief and Welfare Departments in order that they may have sufficient funds to meet their expenditures for the balance of the year 1938.

I am also informed that several other city departments will not have sufficient funds in the H or Relief Projects item of their respective budgets to enable them to carry on those projects until the end of the year 1938, unless additional funds are provided.

It will be necessary therefore to make up these deficiencies by a loan appropriation totaling \$1,100,000. I respectfully submit herewith a loan order providing for the necessary appropriation in that sum. I recommend immediate consideration and action on this order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, Mayor.

Ordered, That in accordance with the provisions of chapter 58 of the Acts of 1938 a loan in the sum of \$1,100,000, outside the debt limit, be, and hereby is, authorized, and that the City Treasurer, upon request of the Mayor, be authorized to issue bonds or notes therefor, and that the said sum of \$1,100,000 be, and hereby is, appropriated, to be expended in accordance with the provisions of chapter 58 of the Acts of 1938 for the following purposes:

| | |
|------------------------------|-----------------------|
| HOSPITAL DEPARTMENT. | |
| Sanatorium Division. | |
| H. Relief Projects..... | \$15,000 00 |
| PARK DEPARTMENT. | |
| H. Relief Projects..... | \$35,000 00 |
| PUBLIC WELFARE DEPARTMENT. | |
| Central Office. | |
| F. Special Items..... | \$975,000 00 |
| H. Relief Projects..... | 30,000 00 |
| | <u>\$1,005,000 00</u> |
| SOLDIERS' RELIEF DEPARTMENT. | |
| F. Special Items..... | \$45,000 00 |
| Total..... | <u>\$1,100,000 00</u> |

Referred to Executive Committee.

PETITIONS REFERRED.

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

Claims.

Bartholomew A. Clements, to be reimbursed for execution issued against him.

Edwina M. Connell, for compensation for damage to car caused by an alleged defect in Columbia road.

John J. Geary, for compensation for damage to car by police car.

Julia A. Harkins, for compensation for injuries caused by an alleged defect at 24 Algonquin street.

Nicolo and Santo LaFanci, for compensation for injuries caused by city car.

William P. McNulty, to be reimbursed for execution issued against him.

Mary R. O'Sullivan, for compensation for damage to car by city truck.

Joseph Rosenthal, for compensation for damage to car by city wagon.

E. M. Ruhy, for compensation for damage to property at 2 Wadsworth street, caused by defective catch-basins.

Adolph A. Rutkauskas, for compensation for injuries caused by city truck.

Charles J. VanTassel, for compensation for collapse of water boiler at 21 Beethoven street, caused by water being shut off.

John A. Ywoskus, for refund on refuse tickets.

Ordinances.

Petitions for permits for driveway openings, viz.:

Maria Goglia, 383 Maverick street, East Boston, New England Mutual Life Insurance Company, 21-35 Pearl street.

Atlantic Refining Company, 443-453 Tremont street.

APPOINTMENT OF JAMES H. FLANAGAN TO FINANCE COMMISSION.

Notice was received from the secretary of the Commonwealth of appointment of James H. Flanagan as member of the Finance Commission for term ending July 17, 1943.

Placed on file.

TAKING OF LAND FOR COLUMBIA CIRCLE UNDERPASS.

A communication was received from the Metropolitan District Commission as to taking of land on Old Colony Parkway for Columbia Circle Underpass.

Appended was the following order:

Whereas, The Metropolitan District Commission on the twenty-seventh day of October, A. D., 1938, did take certain lands referred to and described in an order of taking, a copy of which has been submitted, which real estate lies in the City of Boston and County of Suffolk and is shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Old Colony Parkway, Boston (Dorchester District), Plan of Takings in the vicinity of Mt. Vernon Street, . . . October 25, 1938, Benjamin R. Davis, Director of Park Engineering," being plan accession number 24841-VT;

Ordered, That the City Council of the City of Boston in conformity with section 80 of chapter 92 of the General Laws, hereby concurs with said Metropolitan District Commission in said taking and in every act, matter and thing connected therewith.

Referred to the Executive Committee.

APPROVAL OF CENTRAL WHARF PROJECT.

Notice was received from the Emergency Finance Board of vote passed October 19, 1938, approving P. W. A. Docket 1471-F for the construction of sewers at Central Wharf, City of Boston.

Placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor October 24, 1938, of Clarence O. Hummerstone, John F. Cahill and Michael Ferrala, to be Weighers of Goods; and Samuel Goldstein, to be a Measurer of Leather.

The question came on confirmation. Committee Coun. Sullivan and Irwin. Whole number of ballots 13, yes 10, no 3, and the appointments were confirmed.

COMMITTEE APPOINTMENTS.

The PRESIDENT announced the appointment of Coun. Agnew to be chairman of the Committee on Jitney Licenses and Coun. Englert to be a member of said committee.

LIGHTING CONDITIONS, LAWRENCE AVENUE, WARD 14.

Coun. ROSENBERG offered the following:
Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to

make a survey of the lighting conditions on Lawrence avenue, Ward 14, adjacent to the Patrick Campbell High School, with a view of remedying present hazardous conditions.

Coun. ROSENBERG—Mr. President, there are at present hazardous conditions in this vicinity which in my opinion should be remedied by improved lighting. On Lawrence avenue, due to the poor lighting in that particular section, it has been called to my attention that there have been many holdups where women going along the street have had their bags snatched, and people of the district have been robbed. This condition could be remedied by proper lighting. I trust, therefore, that a survey of the lighting conditions will be made, with a view to proper protection of the public in that neighborhood. It is particularly important that something should be done, also, in view of the large number of school children attending the evening sessions which have been put in operation in the Patrick Campbell High School, in addition to the protection necessary for the public generally. I trust, therefore, that the Public Works Commissioner will see that the present hazardous condition is remedied as soon as possible.

The order was passed under suspension of the rule.

PARKING ON GREEN STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to prohibit parking on the right-hand side of Green street, Ward 11, from Washington street to Centre street, in order to eliminate the present danger to pedestrians and motorists.

Passed under suspension of the rule.

EXTENSION OF HARRISHOF STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Street Commissioner be requested, through his Honor the Mayor, to lay out and accept the extension of Harrishof street, Ward 11, as a public highway under the W. P. A. plan of construction.

Passed under suspension of the rule.

ACCEPTANCE OF HALEY STREET, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Haley street, Ward 11, as a public highway under the W. P. A. plan of construction.

Passed under suspension of the rule.

TRAFFIC SIGNALS, GREEN AND AMORY STREETS, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Green and Amory streets, Ward 11.

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install "Stop" signs at the corner of Green and Amory streets, Ward 11.

Severally passed under suspension of the rule.

RECESS.

The Council voted at 2.36 p. m., on motion of Coun. FISH, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 3.25 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on order of taking by Metropolitan District Commission (referred today) of land for Columbia Circle Underpass and order that the Council concurs with said commission in said taking—recommending passage of order.

Report accepted; order passed, yeas 19, nays 0.

2. Report on message of Mayor and order (referred today) transferring to Board of Commissioners of Sinking Funds certain unexpended balances of loans issued outside debt limit which are no longer required for purposes specified in authorization of such loans—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

3. Report on message of Mayor and orders (referred today) for transfers within departmental appropriations—that same ought to pass.

Report accepted; said orders passed, yeas 19, nays 0.

4. Report on message of Mayor and order (referred today) appropriating \$1,100,000 for Soldiers' Relief and Welfare Departments—that same ought to pass.

Report accepted; said order passed yeas 19, nays 0.

LOSS OF ARTICLES BY HOSPITAL PATIENTS.

Coun. CAREY offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to devise some plan whereby patients in the hospital who, through necessity, must take certain valuables such as eyeglasses, false teeth, etc., into the ward with them, may be protected from the loss or disappearance of such articles.

Coun. CAREY—Mr. President, that order is presented because of the loss of a set of false teeth in the Boston City Hospital by a resident of my district. I notice today, in looking at the minutes that the Committee on Claims has a petition before it for a loss of false teeth at the City Hospital. It is a common occurrence to have eyeglasses and false teeth disappear, and I think some protection should be given to these patients. You cannot buy false teeth and eyeglasses at a five and ten cent store; there is considerable value in such articles. In a case I have in mind, the person losing the teeth paid \$35 for them a year ago. Of course, there is no reflection on the nurses or attendants at the hospital. When a bed is being changed, no doubt these articles are picked up in the sheets, not being noticed at the time. I do think, however, it is a matter that should be given serious attention by the trustees of the hospital and by Doctor Manary. If necessary, substitutes should be provided. When a person is lying twenty-four hours a day in bed, he is seriously handicapped, of course, by the loss of his teeth and by the loss of his glasses, so that he cannot read the newspapers. These articles are vitally necessary to patients, and some action should be taken to devise a plan whereby they will not disappear. Therefore I ask the passage of my order.

The order was passed under suspension of the rule.

COUN. TAYLOR'S POSITION ON HOUSING PROJECT.

Coun. TAYLOR—Mr. President, unfortunately last week I was unable, due to the fact that I had to attend a funeral in my family, to vote on the housing project. Therefore, I now wish, for purposes of the record, to be recorded to the effect that if I were here at that time I would certainly have voted for the housing project. I have always in the past favored this noble work which has been inaugurated by the Federal Government, and have been glad to support any such progressive step that would ameliorate the hardships of people who never had the opportunity in their lives to enjoy proper living conditions. This opportunity is now given for the first time, an opportunity for them to live as human beings. I have always favored and always shall favor such housing projects and, while I was personally unable to be present, I was very glad to learn that the measure was passed by the body by an overwhelming vote.

INVESTIGATION OF COMMUNISTIC ACTIVITIES IN BOSTON.

Coun. CHASE offered the following:

Ordered, That the United States Department of Justice be requested, through his Honor the Mayor, to cause an immediate investigation of all Communistic activities in Boston in order to determine as to whether or not they are proceeding in a lawful manner.

Referred to Committee on Rules.

CAPACITY OF FUEL TANK OF COUNTY COAL COMPANY.

Coun. ENGLERT offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to advise the City Council as to the capacity of the fuel tank now located on the premises of the County Coal Company, 55 Hall street, Jamaica Plain, and also, in detail, what tests, if any, have been made to verify the safety of the soil, the structural safety of the tank and the danger of fire or explosion if such tank is substantially larger than is necessary to hold 5,000 gallons of fuel oil.

Passed under suspension of the rule.

REMOVAL OF HAZARDS, GREEN AND AMORY STREETS, WARD 11.

Coun. ENGLERT offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take such steps as may be necessary to remove the billboards at the junction of Green and Amory streets, Ward 11; to paint with white stripes the bridge pillars at this location, and to grade the land within the railroad fence for the purpose of providing a clear view of this intersection in order that hazards to automobile drivers and pedestrians may be eliminated.

Passed under suspension of the rule.

LIGHTING CONDITIONS, PERCIVAL AND FOX STREETS, WARD 15.

Coun. KELLY offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to make a survey of lighting conditions on Percival and Fox streets, Ward 15, with a view of remedying present hazardous conditions.

Passed under suspension of the rule.

IMPROVEMENTS AT SAVIN HILL PLAYGROUND.

Coun. HUTCHINSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make necessary improvements at Savin Hill Playground, the same to include granolithic walks, new drainage system, sodding and planting of grass seed, resurfacing tennis courts, planting of trees where needed, etc.

Passed under suspension of the rule.

RESURFACING OF TENNIS COURTS, GRAMPIAN WAY.

Coun. HUTCHINSON offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to resurface the tennis courts on Grampan way, Ward 13.

Passed under suspension of the rule.

ACCEPTANCE OF MADELINE STREET, WARD 22.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to

accept and lay out Madeline street, Ward 22, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

TENANTS AT OLD HARBOR VILLAGE.

Coun. WILSON offered the following:

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to advise the City Council the total number of tenants at Old Harbor Village and the number of families accepted as tenants from each of the twenty-two wards of the city.

Coun. WILSON—Mr. President, I understand that that information is readily available, and I am sure there will be no objection to furnishing it.

The order was passed under suspension of the rule.

NUMBER OF PERSONS ON W. P. A. PROJECTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor advise the City Council the number of Boston persons on all types of W. P. A. projects as of the most recent date for which the correct figure is available.

Coun. WILSON—Mr. President, I leave that to his Honor the Mayor, realizing that it is very difficult at any given moment to get any very definite figures of this kind. But I think that the Mayor will be able to see that we obtain the most recent available figures.

The order was passed under suspension of the rule.

REPAIR OF CITY COUNCIL CHAMBER.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council promptly with reference to supposed repairs to the City Council Chamber in City Hall:

1. What work, if any, is now being done in the Council Chamber.

2. The last date on which any actual work was done in the Council Chamber at City Hall.

3. The cost of all work involving the City Council to date, with items and amounts.

4. The probable date when the Council Chamber will be again available for meetings of the City Council.

5. The total cost, to date, incident to the use of Faneuil Hall for meetings of the Boston City Council, with the various items of expense and the amount of each item.

Coun. WILSON—Mr. President, there is a logical sequence in the matter of time connected with that order, because the sixth of December will be the first anniversary of the last day when the Council met in its chamber in the City Hall building on School street. A duplicate of this order was filed the sixth of last June, and is still unanswered. I realize that the expense incurred for the most part, if not entirely, was incurred under the last administration. But, without trying to appear technical, it does occur to me that this is not only city business, but is something which vitally concerns the twenty-two members of the Council, who are supposed to sit in the City Council Chamber on School street. Therefore, it seems to me after the period that has elapsed, somebody must know something about what is going on or what is proposed in this matter, what repairs are contemplated, and what the expense up to date is in connection with our weekly meetings in Faneuil Hall; and that we should at least get something in the way of a probable date when our Council Chamber will again be available for our meetings. If some progress is not made, there is probably a question whether the newer members of the Council will ever have the privilege of sitting in the City Council Chamber in City Hall.

Coun. TAYLOR—Mr. President, I think the chairman of the committee that was supposed to look into this matter might enlighten us.

Coun. WILSON—Mr. President, there was no report from the Mayor at that time, and the purpose of the appointment of the committee was to endeavor to ascertain how soon we

might expect to return to the City Council Chamber on School street. The Mayor's idea as I gather, was that the proposition to have something done for City Hall through W. P. A. assistance was very much in the air. I appreciate, of course, the difficulties surrounding this matter, but I certainly do feel, as far as the members of this body are concerned, that they are naturally very much interested in at least the approximate date of our return and, although the matter is still very much in the air, I think the inquiry I have made through this order is more than pertinent, and I, and I think the other members of the Council, would very much appreciate obtaining the information. The Mayor has apparently up to date had no direct information as to when we would return to City Hall.

The order was passed under suspension of the rule.

METHOD OF HANDLING NON-SUPPORT CASES.

Coun. GALVIN offered the following:

Ordered, That the Board of Trustees of the Public Welfare Department be requested, through his Honor the Mayor, to arrange a different method of handling non-support cases, so that there will be a detailed investigation and an impartial hearing before such cases are presented to the district court for disposal.

Coun. GALVIN—Mr. President, during the past nine months I have received twenty-odd complaints from my constituents who have applied for public welfare at the local unit and who have found that before they can be given aid the matter must be passed upon by the district court. I believe those are not fair tactics for the Public Welfare Department to use. I have been in touch with the court in Charlestown in regard to such matters, and they have felt that it was highly improper to have cases presented to them without a detailed investigation and impartial hearing by the department. Therefore, I have felt it proper to offer this order, requesting the Board of Trustees of the Public Welfare Department, through the Mayor, to arrange a different method of handling these non-support cases so that there will be a detailed investigation and an impartial hearing before the cases are presented to the district court for disposal.

The order was referred to the Committee on Public Welfare.

PROTECTION TO CIVIL SERVICE EMPLOYEES.

Coun. CHASE offered the following:

Ordered, That every city department head be requested, through his Honor the Mayor, to inform the various city employees of the protection given to them under Massachusetts State Civil Service Laws.

Passed under suspension of the rule.

DUMPS NEAR RESIDENTIAL AREAS.

Coun. NORTON offered the following:

Ordered, That the Health Commissioner, through his Honor the Mayor, make plans to close up all active dumps located within the city which are in close proximity to residential areas.

Coun. NORTON—Mr. President, if there is no objection I would like to have included in our record the following letter to me from the Health Commissioner:

City of Boston,
Health Department, October 18, 1938.
Councilor Clement A. Norton,
Council Chamber, Boston.

Dear Sir,—With reference to your letter of October 7, 1938, I am surprised that you have received further complaints regarding the vacant land at Beech and Washington streets, Roslindale, inasmuch as no dumping has been done there since December, 1937.

A special investigation was made to ascertain if unauthorized dumping has been carried on, but the report shows that such has not been the case and I am told that conditions are the same as when I personally visited the premises several months ago.

I am wondering if the source of the "odors, rats, bugs and everything else that infest home after home" may not come from the area of swampy land which still remains to be filled in, rather than from the filled portion of the land.

There has been a dump at this location for more than fifteen years. In the early days of the dumping, complaints were infrequent, although the filling was being done much nearer to dwellings than has been the case in recent years. The face of the dump is now far removed from dwellings.

While there is no immediate indication that dumping will be resumed here at present, I still feel that the filling should be completed on the small area remaining in order to remove the swamp and stagnant water.

I dislike repetition, but the fact that stands out in my mind in this whole matter of dumps is, "What are we going to do with the waste material collected in this and other sections of the city when these dumping areas are no longer available?" I presume that you likewise have given this matter some thought.

The Health Department cannot agree entirely with the complainants, but they can be assured that consideration will be given their objections with due regard to the matter as a whole.

Yours truly,

H. F. R. WATTS, M. D.,
Health Commissioner.

The order was passed under suspension of the rule.

CONSTRUCTION OF STREETS NEAR ST. JOSEPH'S CHURCH, WARD 18.

Coun. NORTON offered the following:
Ordered, That the Public Works Commissioner, through his Honor the Mayor, be requested to lay out and construct all necessary streets around the new St. Joseph's Church on Wood avenue in the Ruby section of Ward 18.

Coun. NORTON—Mr. President, this new parish of St. Joseph's Church has been created, on Wood avenue, in Ward 18, and I feel that a survey should be made by the Public Works Commissioner with a view to laying out and constructing all necessary streets around the church, fixing up the streets and making necessary improvements, with a view to the comfort and convenience of the parishioners of the church.

The order was passed under suspension of the rule.

BROADCASTING OF COUNCIL MEETINGS.

Coun. NORTON offered the following:

Ordered, That the City Council consider the advisability of requesting local radio stations to broadcast the meetings of the City Council.

Coun. NORTON—Mr. President, this is an order to consider the advisability of requesting local radio stations to broadcast the meetings of the City Council. This does not mean the broadcasting of every meeting, but there are certain times when matters of great public interest which are being discussed by the public are before us. Such times may occur only once in two or three months, but when the importance of the subject warrants it, it might be well to consider some way of broadcasting the meetings. I believe something of the sort is done in some other large cities of the country. Certainly, when broadcasting stations go before the Radio Commission, the argument might well be used that they are willing to aid in spreading information upon matters that are subjects of public discussion.

The order was referred to the Committee on Rules.

Adjourned, on motion of Coun. AGNEW, at 4.28 p. m., to meet on Monday, November 14, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 14, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Englert.

Coun. CHASE in the chair.

JURORS DRAWN.

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

Seventy-nine traverse jurors, Superior Criminal Court, to appear December 5, 1938:

Robert Collins, Ward 1; George C. Kergald, Ward 1; Edward L. Ryan, Ward 1; George Hallion, Ward 3; Francis E. Martin, Ward 3; Peter Santos, Ward 3; David C. Adkins, Ward 4; John P. Barrett, Ward 4; Edgar A. Bibber, Ward 4; Walter Bolt, Ward 4; William J. Chamberlin, Ward 4; Herbert Ellis, Ward 4; Albert Goebel, Ward 4; Clifford R. Loach, Ward 4; Edward Maxwell, Ward 4; Garfield McLeod, Ward 4; Harold W. Sproules, Ward 4; Leroy J. Briggs, Ward 5; Samuel Eliot Codman, Ward 5; William L. Gasper, Ward 6; Alphonse J. Michewich, Ward 6; Nathaniel A. Stedman, Ward 6; Francis J. Whitten, Ward 6; James Elliott, Ward 7; William Ferman, Ward 7; George V. Grogan, Ward 7; Michael A. McGrath, Ward 7; Forrest L. Arey, Ward 8; George W. O'Neil, Ward 8; John H. Lyons, Ward 9; Harold E. Boucher, Ward 10; James P. O'Connor, Ward 10; Fred J. Becker, Ward 11; John L. Donovan, Ward 11; Arthur A. Howell, Ward 11; Paul T. Owens, Ward 11; John E. Hines, Ward 12; John H. Lockary, Ward 12; Joseph N. McPhee, Ward 12; Bruce E. Merriam, Ward 12; Robert Robertson, Ward 12; Robert A. Rutherford, Ward 12; Ernest T. Collins, Ward 13; John J. Curran, Ward 13; Thomas J. Lynch, Ward 13; Daniel P. MacDonald, Ward 13; Walter D. Neville, Ward 13; James H. Walsh, Ward 13; Harry Epstein, Ward 14; Harry D. Katzen, Ward 14; George E. Knight, Ward 14; Louis Kumins, Ward 14; Laurie C. Zimmerman, Ward 14; John E. Doherty, Ward 15; William E. Hoey, Ward 15; Charles C. Bowser, Ward 16; Stanton W. Bray, Ward 16; Daniel F. Caniff, Ward 16; William H. Daniell, Ward 16; Henry G. McAllister, Ward 16; Patrick J. Murphy, Ward 16; Mark McDonagh, Ward 17; Jeremiah A. McGovern, Ward 17; William F. Sears, Ward 17; Alfred E. Shea, Jr., Ward 17; Henry C. Bleiler, Ward 18; Arthur E. Cokely, Ward 18; Allen J. Gummer, Ward 18; John F. Heavey, Jr., Ward 18; John E. Jones, Ward 18; Thomas F. Manning, Ward 18; Wallace D. Wills, Ward 18; Nathan Alberts, Ward 19; Edmund J. Hanlon, Ward 20; Eddie W. Nelson, Ward 20; Harry N. Strickland, Ward 20; Alphonse L. Walsh, Ward 21; Harold T. Woodfin, Ward 21; Alfred L. Horne, Ward 22.

Seventy-seven traverse jurors, Superior Civil Court, October Sitting, to appear December 5, 1938:

Richard McCarthy, Ward 1; James Tochterman, Ward 2; John Hendry, Ward 3; Charles Nohmy, Ward 3; Jack Pernakoff, Ward 3; Herbert M. Roberts, Ward 3; James F. Spianale, Ward 3; Robert Sternburg, Ward 4; Harold B. Touhey, Ward 4; Harold S. Bangs, Ward 5; Charles A. Fassett, Ward 5; John J. Cavanaugh, Ward 6; Julius J. Mitchell, Ward 6; George R. Baumeister, Ward 7; Frank Davern, Ward 7; Andrew J. Ryan, Ward 7; William E. Lavers, Ward 8; Eugene R. Murphy, Ward 8; George H. Pearl, Ward 8; James L. Allen, Ward 9; Herbert G. Josselyn, Ward 9; Arnold B. Lee, Ward 9; William H. Chamberlain, Ward 11; Thomas F. Walsh, Ward 11; Charles M. Wilson, Ward 11; Francis L. Foley, Ward 12; Clarence W. Guilford, Ward 12; John E. Cheney, Ward 13; William D.

Curie, Ward 13; John F. Doyle, Ward 13; Richard J. Doyle, Ward 13; Harry G. Hollings, Ward 13; Alford L. Morrison, Ward 13; Joseph Francis Qualter, Ward 13; William Rock, Ward 13; Solomon Goldfarb, Ward 14; John Manning, Ward 14; Solomon D. Querido, Ward 14; Arthur Jennings, Ward 15; John F. McAvoy, Jr., Ward 15; Martin McGrath, Ward 15; John W. A'Hearn, Ward 16; Thomas Boyle, Ward 16; Thomas A. Canavan, Ward 16; Patrick J. McLaughlin, Ward 16; Patrick Mulrooney, Ward 16; Norman W. M. Anderson, Ward 17; James F. McCarthy, Ward 17; John P. Mearn, Ward 17; Walter R. Branagan, Ward 18; Daniel J. Brennan, Ward 18; William E. Brooks, Ward 18; Kurt P. Hartwig, Ward 18; Clarence A. Larson, Ward 18; Frank J. McGuire, Ward 18; Michael J. Patts, Ward 18; Andrew J. Sexton, Ward 18; Edwin M. Bleiler, Ward 19; Thomas P. McGinnis, Ward 19; John S. Brawley, Ward 20; William C. Durham, Ward 20; Leonard H. Giese, Ward 20; William A. MacDonald, Ward 20; Otto H. Mahn, Ward 20; Harry J. Rapley, Ward 20; Herman T. Schultz, Ward 20; Edward C. Walshe, Ward 20; Hume C. Dickey, Ward 21; Clarence E. Harmon, Ward 21; Leonard F. Dodge, Ward 22; William L. Gleeson, Ward 22; James B. Kane, Ward 22; John T. Kerry, Ward 22; William H. Murphy, Ward 22; Thomas F. Rattigan, Ward 22; William E. Ryan, Ward 22; David Standel, Ward 22.

President KERRIGAN in the chair.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Coal: Robert Calderbank, 73 Hancock street, Dorchester, Mass.; John C. McIsaac, 14 Newhall street, Neponset, Mass.

Weigher of Beef: Joseph W. Blair, 18 Bemuth road, Newton Highlands, Mass.; James J. Connell, 168 River street, Mattapan, Mass.

Severally laid over a week under the law.

PAINTING OF CROSSWALKS, WARD 20.

The following was received:

City of Boston,

Office of the Mayor, November 3, 1938.

To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of October 17, 1938, concerning the painting of crosswalk lines at the junction of South and Conway streets and also South and Fairview streets, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,

Traffic Commission, October 27, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated October 17, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to paint crosswalk lines at the junction of South and Conway streets and also South and Fairview streets, Ward 20."

The intersection of Conway street and South street and Fairview street and South street are both very close to where South street dead-ends at the New York, New Haven & Hartford Railroad and there is, therefore, practically no vehicular traffic in this area.

For this reason and because we have approximately seventy-five miles of approved painting in streets and intersections carrying a heavy volume of traffic, only 10 per cent of which we have been able to paint this year, we do not believe that we should paint the crosswalks requested in lieu of continuing our program in busier areas.

Respectfully yours,

WILLIAM P. HICKEY, Commissioner.

Placed on file.

SAFETY ISLANDS ON MORTON STREET.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of September 12, 1938, concerning the construction of safety islands on Morton street, from Harvard street to Blue Hill avenue, for the protection and safety of both pedestrians and motorists, same to be carried out as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, October 24, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order, dated September 12, 1938, which reads as follows:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to construct safety islands on Morton street, from Harvard street to Blue Hill avenue, for the protection and safety of both pedestrians and motorists, same to be carried out as a W. P. A. project."

The roadway of Morton street, between Blue Hill avenue and Harvard street, is fifty-eight feet wide. If a six-foot island were constructed in the center of Morton street it would separate Morton street into two twenty-six-foot roadways.

The engineers of this commission believe that these twenty-six-foot roadways would be too narrow to handle the traffic demands made on Morton street.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.
Placed on file.

PROPERTY AT 1218-1220 WASHINGTON STREET.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of October 17, 1938, concerning the property at 1218 and 1220 Washington street, Ward 3.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, October 26, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Subject: City Council Order of October 17, 1938, 1218-1220 Washington Street, Ward 3.

Dear Sir,—Complying with instructions in your communication of October 24, 1938, relating to City Council order of October 17, concerning the shoring up of building at the corner of Laconia and Washington streets, copy of City Council order attached, please be informed that the owners were served with legal notice of complaint at 11.20 a. m. on October 15, 1938, by Chester M. Ricker, Deputy Sheriff, Middlesex County, notifying them to correct the cause of complaint. Inspection of this date indicates that no effort has been made by the owners to eliminate the dangerous condition of the building; consequently they have been notified to the effect that if arrangements are not made to start the work of correcting the conditions before October 27 the Building Department will enter into a contract to raze the building.

Although the cleaning away of debris and the opening of street roped off is not within the province of the Building Department I report that inspection made by this department indicates that the debris has been removed and it is understood that street barricades will be removed upon completion of razing operations referred to above.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

Placed on file.

STEPS CONNECTING STURGES ROAD AND BELLEVUE STREET.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 3, 1938, concerning the installation of a flight of steps connecting Sturges road with Bellevue street, Ward 20.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, October 28, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received notification of order that was passed in the City Council on October 3, requesting the Commissioner of Public Works to install a flight of steps connecting Sturges road with Bellevue street, Ward 20.

This section of Sturges road is private, and it will be necessary for the Board of Street Commissioners to consider the acceptance of this area and lay out the location before this matter could be considered by the Public Works Department.

I respectfully recommend that this order be referred to the Board of Street Commissioners for consideration.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING OF ROSEMARY STREET, WARD 11.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 17, 1938, concerning the resurfacing of Rosemary street, Ward 11, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, November 2, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface Rosemary street, Ward 11, under the W. P. A. plan of construction.

We shall be pleased to include this street in a W. P. A. project which will be submitted for approval, and it will be included in the list of streets to be built next year.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING OF CHESTNUT AVENUE, WARD 10.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 17, 1938, concerning the resurfacing of Chestnut avenue, Ward 10, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department, November 2, 1938.
William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface Chestnut avenue, Ward 10, under the W. P. A. plan of construction.

We shall be pleased to include this street in a W. P. A. project which will be submitted for ap-

proval, and it will be included in the list of streets to be built next year.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

RESURFACING OF FRANCIS STREET.

The following was received:

City of Boston,
 Office of the Mayor, November 3, 1938.
 To the City Council.
 Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 17, 1938, concerning the resurfacing of Francis street, Roxbury, under the W. P. A. plan of construction.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, November 2, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.
 Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface Francis street, Roxbury, under the W. P. A. plan of construction.

We shall be pleased to include this street in a W. P. A. project which will be submitted for approval, and it will be included in the list of streets to be built next year.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

ASPHALT SIDEWALKS, DOWNER AVENUE, WARD 13.

The following was received:

City of Boston,
 Office of the Mayor, November 3, 1938.
 To the City Council.
 Gentlemen,—I transmit herewith a letter from the Public Works Commissioner relative to your order of October 17, 1938, concerning the laying of asphalt sidewalks in Downer avenue, Ward 13.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, November 2, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.
 Dear Mr. Doyle,—I have received notification of order that was passed in the City Council on October 17, requesting the Commissioner of Public Works to lay asphalt sidewalks in Downer avenue, Ward 13.

We propose to submit a W. P. A. project involving a major program for the laying of asphalt sidewalks in streets throughout the city. This work will start in the spring of 1939, and I shall submit Downer avenue in the first project that we send to the W. P. A. for approval.

I recommend that this order be approved.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

REPAVING OF CERTAIN STREETS, WARD 4.

The following was received:

City of Boston,
 Office of the Mayor, November 14, 1938.
 To the City Council.
 Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 17, 1938, concerning the repaving with smooth pavement the following streets in Ward 4:

- Dartmouth street, from Stuart street to Tremont street.
- Cumberland street, from Huntington avenue to St. Botolph street.
- Gainsborough street, from Hemenway street to Huntington avenue.
- Field street; Symphony road; Tavern road.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, November 8, 1938.

William T. Doyle,
 Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received copy of order that was passed in the City Council on October 17, requesting that the Commissioner of Public Works repave with smooth pavement the following streets in Ward 4:

- Dartmouth street, from Stuart street to Tremont street.
- Cumberland street, from Huntington avenue to St. Botolph street.
- Gainsborough street, from Hemenway street to Huntington avenue.

Field street; Symphony road; Tavern road. Gainsborough street, Field street and Symphony road are on projects already approved by the W. P. A., and we contemplate starting construction as soon as it is practical.

We propose submitting Dartmouth and Cumberland streets to be constructed under a W. P. A. grant in 1939.

Tavern road was surfaced in June of 1937, and we do not feel that there is any need of laying a smooth pavement on this street at this time.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

STREETS AROUND ST. JOSEPH'S CHURCH, HYDE PARK.

The following was received:

City of Boston,
 Office of the Mayor, November 14, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 31, 1938, concerning the laying out and constructing all necessary streets around the new St. Joseph's Church, Hyde Park.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, November 7, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have order passed in the City Council on October 31, 1938, requesting the Commissioner of Public Works to lay out and construct all necessary streets around the new St. Joseph's Church, Hyde Park.

Before any consideration can be given to the construction of these streets by the Public Works Department it will be necessary to have them accepted and laid out as public highways by the Board of Street Commissioners. These streets are private, which precludes any construction of them by this department at this time.

I recommend that this order be referred to the Board of Street Commissioners for consideration.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

LIGHTING CONDITIONS, LAWRENCE AVENUE, WARD 14.

The following was received:

City of Boston,
 Office of the Mayor, November 14, 1938.
 To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of October 31, 1938, concerning the lighting conditions on Lawrence avenue, Ward 14, adjacent to the Patrick Campbell High School.

Respectfully,
 MAURICE J. TOBIN, Mayor.

City of Boston,
 Public Works Department, November 10, 1938.
 William T. Doyle,
 Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received draft of the following order that was passed in the City Council on October 31:

"Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to make a survey of the lighting conditions on Lawrence avenue, Ward 14, adjacent to the Patrick

Campbell High School, with a view of remedying present hazardous conditions."

I have had a study made relative to the present lighting conditions, as specified in the above order. At the present time, there is a gas lamp in front of the school entrance which is inadequate to properly light this area.

In view of this, I recommend that the present gas lamp be removed and a No. 70 electric lamp, on a concrete shaft, be erected in its place. The net increase in cost would be \$44.50 per year.

I recommend that this order be approved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

IMPROVEMENTS AT SAVIN HILL PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of October 31, 1938, concerning the making of the necessary improvements at Savin Hill Playground.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, November 4, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston,

Dear Sir,—I have a memorandum with inclosure, order from the City Council that the Park Department make the necessary improvements at the Savin Hill Playground, etc.

Please be assured the Park Department will give every consideration to the request and a thorough investigation will be made, and the playground improved for the best interests of the neighborhood, providing the Federal Government provides the funds.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

BATH HOUSE, COULTER'S BEACH.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of October 24, 1938, concerning the replacement of the bath house at Coulter's Beach, which was recently destroyed by fire.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 28, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memo. of October 26 with inclosure order from the City Council relative to the replacement of the bath house at Coulter's Beach which was recently destroyed by fire.

This beach is situated within a very short distance of Malibu Beach. With the financial conditions of the city as they are, I do not think it would be very good judgment to build a bath house so close to the Metropolitan District Commission beach.

During the past year the bath house was used simply as a locker building for those desiring to bathe at Malibu Beach, hanging their clothes in our bath house and then going to Malibu Beach for bathing purposes.

If the people in the vicinity desire to use this beach (as it is a good one for children) there will be no objection, and a guard will be furnished.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

BOSTON PUBLIC HIGH SCHOOL SPORTS.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Secretary of the Boston School Committee relative to your order of August 15, 1938, concerning the inclusion of basketball in the winter program of sports of the Boston public high schools.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
School Committee, October 29, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

My dear Sir,—At a meeting of the City Council on August 15, the Council passed an order requesting the School Committee to include basketball in the winter program of sports of the Boston public schools.

The School Committees has had under consideration for some little time question as to the possibility of extending the athletic program in the high schools, and now has agreed to make provisions for ice hockey within very definite limitations.

The accommodations for the games will be provided without expense to the city, and in that way this sport is made possible at this time. The Committee is satisfied that it will not be possible to make provisions for basketball instruction in the schools because the available facilities will not permit and the Physical Education appropriation is such that the additional expense involved, even were accommodations available, could not be met.

The School Committee has agreed, therefore, that at the present time it will not be possible to include basketball in the high school athletic program.

Very truly yours,
ELLEN M. CRONIN, Secretary.
Placed on file.

TENNIS COURTS, GRAMPAN WAY.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of October 31, 1938, concerning the resurfacing of the tennis courts on Grampian way.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, November 4, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have your memorandum of November 2 with inclosure, order from the City Council relative to resurfacing the tennis courts on Grampian way.

It is the intention of the department to draw up a project to develop this entire area, resurface the tennis courts, place concrete gutters around them, erect tennis fences and improve the hill in the rear of the tennis courts.

If this project is accepted by the Federal Government, work will be started immediately.

There is no necessity of resurfacing the courts at the present time—it is too late in the year to try and improve these courts; furthermore, they are in pretty fair condition as they are.

Very respectfully yours,
WILLIAM P. LONG, Chairman.
Placed on file.

PAYMENTS OF EXCISE.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the City Collector relative to your order of October 17, 1938, concerning the extension of time for payments of excise to November 1.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Collecting Department, October 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mayor Tobin,—Replying to the letter of October 20 from your office regarding City Council order "That the Collector of Taxes be requested by his Honor the Mayor to extend the time for payments of excise to November 1." I presume that this order has reference to the notification which the collector is required to send to the Registrar of Motor Vehicles.

While I should be very glad to comply with this request, it does not appear that this new law permits of the exercise of any discretionary power on the part of a tax collector, as it reads, in part, that the tax collector shall forthwith transmit to the Registrar, on the due date (thirty days after bill is sent out), a notice of such non-payment.

Very truly yours,
MERRITT THOMPSON,
City Collector.

Placed on file.

PROPERTY AT 109-111 WEBSTER STREET
EAST BOSTON.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of October 17, 1938, concerning the property at 109 and 111 Webster street, East Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, October 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Subject: City Council Order of October 17, 1938, 109-111 Webster Street, East Boston.

Dear Sir,—Complying with instructions in your communication of October 24, 1938, concerning City Council order of October 17, 1938, relating to the razing of buildings at 109 and 111 Webster street, Ward 1, please be informed that this department served legal notices of complaint on the owners on September 22, 1938, at 2 and 3 o'clock p. m., respectively, which ordered them to remove the cause of complaint. Subsequently, permits were granted for the razing of the buildings and razing operations are now under way.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

Placed on file.

OPENING OF COMMODITY STATION,
WOODROW AVENUE.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Acting Executive Director of the Overseers of the Public Welfare relative to your order of September 26, 1938, concerning the opening of the Commodity Station on Woodrow avenue.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare,
October 28, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—Supplementing my letter of October 4 regarding an order of the City Council dated September 26, 1938, with relation to the reopening of the Commodity Station on Woodrow avenue, Mr. John C. Stalker, Director of Commodity Distribution for the Federal Surplus Commodities Division, at 600 Washington street, informs me that the Woodrow Avenue Commodity Station was closed only for a temporary period and that it will be reopened on November 4, 1938.

Yours truly,
DANIEL A. MURPHY,
Acting Executive Director.

Placed on file.

COLLECT TELEGRAMS SENT BY
CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the city Collector relative to your order of October 17, 1938, concerning instructions to the constables of the City of Boston to refrain from sending "collect" telegrams to the taxpayers for the purpose of collecting taxes.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Collecting Department, October 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mayor Tobin,—Replying to the letter of October 20 from your office, regarding the City Council order "that the Collector of Taxes be advised by his Honor the Mayor to instruct the constables of the City of Boston to refrain from sending 'collect' telegrams to the taxpayers for the purpose of collecting taxes," may I present the following for your consideration:

Two hundred forty-six telegrams were sent and delivery was effected on 174. The constable received responses from 155 people, of whom 121 paid in full and the balance, 34, made part payments or arrangements to make part or full payments.

These figures indicate a very high percentage of responses—89 per cent—and a collection percentage of 69.

The total amount collected was \$849.20 and there is a potential collection of an additional \$400 to \$500.

Of the 174 telegrams delivered, there were only half a dozen that carried a rate in excess of 21 cents and these did not exceed 30 cents each. Of these 174, the constable himself paid for 59, and also returned the telegraph charge to any taxpayers who brought the telegrams with them to his office and paid their taxes.

While the "collect" feature of the telegrams may have been somewhat objectionable, I do not feel that the city should be entirely deprived of this avenue of collection.

At least four prior notices had been mailed out to the 174 delinquents before the telegrams were sent.

It is not uncommon to have mail returned to us by the post office because the addressee refuses to accept it after he recognizes the source of the letter from the return address on the envelope. The use of a telegram definitely insures the delivery of the dun to the person for whom it is intended.

I see no objection to discontinuing "collect" telegrams and I have so instructed the constable, but I may continue to try to collect taxes by the use of telegrams which will hereafter be prepaid.

Yours very truly,
MERRITT THOMPSON,
City Collector.

Placed on file.

BUS LINE, UPHAM'S CORNER-CITY
HOSPITAL.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway concerning your order of October 24, 1938, relative to establishing a bus line from Upham's Corner, over Dudley street, Hampden street, Northampton street and Harrison avenue, to the City Hospital, and return, with a five-cent fare.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
November 9, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir.—The trustees have considered the request contained in order of the City Council received with your letter of October 26, requesting the establishing of a bus line from Upham's Corner,

over Dudley street, Hampden street, Northampton street and Harrison avenue, to the City Hospital, and return, with a five-cent fare.

There are now three routes between Upham's Corner and Dudley street by transfer on a 10-cent fare, as follows:

Upham's Corner to Dudley street, car or bus, transfer at Dudley street to car or train to Northampton street.

Upham's Corner to Edward Everett square, by car, transfer at Edward Everett square to bus to Northampton street.

Upham's Corner to Andrew square, by car, transfer at Andrew square to Northampton street.

In view of the fact that revenue collected on the suggested route would be practically all diverted from the present 10-cent fare routes, which would result in a net decrease in revenue, the trustees do not feel that they can consistently grant the request, as it would add to the deficit assessment.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1938.
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 \$23,000 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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, November 4, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are hereby respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$23,000 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..... \$23,000

When making up the budget estimates for the year 1938, 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 1938, 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 \$23,000 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..... \$23,000

Referred to Executive Committee.

TRANSFER OF NEPONSET TRAFFIC CIRCLE TO METROPOLITAN DISTRICT COMMISSION.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the City Council.

Gentlemen,—I am in receipt of a communication from the Commissioner of Public Works in which

he recommends the transfer of the traffic circle at Neponset from the jurisdiction of the City of Boston to the Park Division of the Metropolitan District Commission, Commonwealth of Massachusetts. The transfer of this circle in accordance with the inclosed order will be for a period of twenty-five (25) years, during which time the Metropolitan District Commission will have full care, custody and control of the said circle and will provide police protection in the said area, and will keep the City of Boston harmless from all liability for damages incurred within the premises.

In view of the fact that the Metropolitan District Commission is better equipped to make areas of this sort heauty spots, I am in agreement with the recommendation of the Commissioner of Public Works, and therefore recommend that your Honorable Body give passage to the attached order.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
November 8, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I respectfully recommend that an order, in conformity with the inclosed draft prepared by the Law Department, be introduced in the City Council authorizing the transfer of the care, custody and control of the Neponset Traffic Circle, Dorchester, from the jurisdiction of the City of Boston to that of the Metropolitan District Commission.

The loamed area inside the circle could, by the expenditure of funds, proper attention and care, be made a place of heauty, comparable to that of the traffic circle on the Quincy side of the Fore River Bridge. Such a heauty spot would create a favorable impression on visitors and would be an asset to our city.

I feel that the Park Division of the Metropolitan District Commission, because of their experience in such matters and their apparent success in securing appropriations to care for such areas, would be in a better position than the Public Works Department to give this circle proper attention.

It is my opinion that this transfer is for the best interests of the City of Boston.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Whereas, By chapter 341 of the Acts of 1934 the Department of Public Works of the Commonwealth of Massachusetts was authorized to lay out a traffic circle near the northerly end of Neponset Bridge at the intersection of the Gallivan Boulevard, the Old Colony Boulevard and Neponset avenue in the City of Boston; and

Whereas, By section 5 of said chapter 341 of the Acts of 1934 the circle, when completed, was to become a city way; and

Whereas, The said circle has been completed in accordance with the terms set forth in said chapter 341 of the Acts of 1934; and

Whereas, The Board of Street Commissioners of the City of Boston considers it to be for the best interests of the City of Boston to place the said premises in the care, custody and control, including police protection, of the said Commonwealth of Massachusetts, acting by and through its Metropolitan District Commission; and

Whereas, The said Commonwealth of Massachusetts, acting by and through its Metropolitan District Commission, is willing to accept the care, custody and control, including police protection, of the said premises; now, therefore, it is hereby

Ordered, That the Board of Street Commissioners of the City of Boston, with the approval of his Honor the Mayor, he, and it hereby is, authorized to transfer the care, custody and control, including police protection, of the said premises hereinafter mentioned to the Commonwealth of Massachusetts, acting through its Metropolitan District Commission, for a period of twenty-five years, by an instrument in writing, satisfactory in form to the Law Department of the City of Boston, wherein the said City of Boston reserves the right to enter upon the said premises hereinafter mentioned for the purpose of maintaining, repairing, constructing and reconstructing all its sewer pipes and water pipes now located within the said premises and

wherein the Commonwealth of Massachusetts, by its Metropolitan District Commission, agrees to hold the City of Boston harmless from all liability for damages on account of damage or injury to persons or property within or upon the premises hereinafter mentioned. The said premises are situated in that part of Boston called Dorchester and are bounded and described as follows:

Northwesterly by Neponset avenue, one hundred seventeen and 69-100 (117.69) feet; westerly by land of owners unknown by four measurements, sixty-two and 94-100 (62.94) feet, twenty-four and 19-100 (24.19) feet; one hundred eight and 57-100 (108.57) feet, and thirty-seven and 54-100 (37.54) feet respectively; northwesterly again by land of owners unknown, forty-eight and 14-100 (43.14) feet; southwesterly by Gallivan Boulevard, eighty (80) feet; southerly by land of owners unknown by three measurements, three hundred seventy-nine and 48-100 (379.48) feet; three hundred thirty-one and 59-100 (331.59) feet and one hundred three and 53-100 (103.53) feet, respectively; southeasterly by land supposed to belong to the Commonwealth of Massachusetts, four and 19-100 (4.19) feet; northeasterly by the same, ninety-six and 76-100 (96.76) feet; southwesterly again by the same, twenty-one and 20-100 (21.20) feet; southeasterly again by the same, sixty-four and 34-100 (64.34) feet; northeasterly again by land of owners unknown, one hundred one and 29-100 (101.29) feet; southeasterly again by the same, twenty-two and 44-100 (22.44) feet; northeasterly again in part by land of owners unknown and in part by the southwesterly line of Taylor street, one hundred ten and 62-100 (110.62) feet; southeasterly again by the northwesterly line of said Taylor street, sixty-nine and 66-100 (69.66) feet; northeasterly again by land of owners unknown by two measurements, two hundred twenty-eight and 82-100 (228.82) feet and sixty and 42-100 (60.42) feet respectively; northerly by land of said owners unknown by two measurements, ninety-seven and 68-100 (97.68) feet and thirty-three and 27-100 (33.27) feet respectively; northeasterly again by the southwesterly line of Walnut street, forty-three and 64-100 (43.64) feet; and northerly again in part by the Old Colony Parkway and in part by land of owners unknown, three hundred twenty-two and 78-100 (322.78) feet; containing 193,000 square feet of land, more or less.

The above described premises are shown on a plan marked "Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division, Old Colony Parkway, Neponset Avenue, from Gallivan Boulevard to Neponset Bridge, Boston, Plan of land to be transferred to the Commonwealth of Massachusetts by the City of Boston, Scale 1 inch=40 feet, June 21, 1938, Director of Park Engineering."

Referred to Executive Committee.

ESTABLISHMENT OF POULTRY INDUSTRY, DEER ISLAND.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the City Council.

Gentlemen,—It has long been an established policy in the Commonwealth to provide for vocational direction to inmates of our institutions for the purpose of enabling them to become better members of society, and at the same time enable them to partially liquidate the cost of maintenance during their period of confinement. Chapter 127 of the General Laws gives legislative expression to the wishes of the people in this regard, and in conformity with the spirit of this chapter, the Penal Institutions Budget Commissioner, the Penal Institutions Commissioner and Mr. Henry L. Shattuck, a member of your Honorable Body, to consider the advisability of raising poultry and poultry products at the Deer Island House of Correction. They are of the opinion that under proper direction this could be done at a reduction in cost of furnishing these particular items of consumption to certain city departments and at the same time raise the already high quality of the particular food products at present used.

The Budget Commissioner has, in a separate communication, requested your Honorable Body to approve his recommendation for amendments

to the County Classification Plan for the establishment of the position of Supervisor of Poultry and Poultry Raising, and in order to furnish the necessary initial financial outlay for this activity, I recommend adoption of the accompanying order by your Honorable Body.

Respectfully,
MAURICE J. TOBIN, 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 Sales of City Property, \$20,000, to the appropriation for Poultry Industry, Establishment of, \$20,000.

Referred to Executive Committee.
Coun. FITZGERALD—Mr. President, I think that should be referred to the Committee on Prisons.

President KERRIGAN—Well, the question can be considered in the Executive Committee, and it can there be referred to the Committee on Prisons, if so desired.

COMPENSATION AND CLASSIFICATION PLAN, SUFFOLK COUNTY.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith for consideration by your Honorable Body the attached proposal by the Budget Commissioner to amend the Compensation and Classification Plan for the Officers and Employees of Suffolk County.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Budget Department, November 14, 1938.
To the Mayor and City Council.

Honorable dear Sirs,—Rule 4, "Amendment of the Classification Plan" of the "Compensation and Classification Plans for the Officers and Employees of Suffolk County," provides that, "The Budget Commissioner shall, as he considers necessary, from time to time, propose amendments to the classification plan, together with the reasons therefor. Any such amendment may provide for the establishment of one or more classes; for changes in the specifications of one or more existing classes; or for the combination or abolition of existing classes. Any proposed amendment shall become effective upon approval by the City Council, subject to the provisions of the City Charter." In accordance with this rule it is recommended that the following new class be established:

Title of Class:
Supervisor of Poultry and Poultry Raising.

Duties:
Under general direction, to have charge of, and be responsible for, the work in connection with poultry operations at the House of Correction; to supervise and instruct inmates as to the proper methods of raising and caring for poultry and poultry products; and to perform other related work as required.

Range of Compensation:
Annual \$2,300—\$2,400—\$2,500—\$2,600—\$2,700—\$2,800.

It is the intention of the Penal Institutions Department to raise poultry and poultry products at the House of Correction which will not only supply the needs of the House of Correction, but will eventually be expanded so that various other city institutions can be supplied wholly or partially with the products from this particular industry.

Very truly yours,
FRANCIS X. LANG, Budget Commissioner.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as adopted by the City Council on April 13, 1931, and approved by the Mayor on April 15, 1931, be, and the same hereby are, amended to include the following new position:

Title of Class:
Supervisor of Poultry and Poultry Raising.

Duties:
Under general direction, to have charge of, and be responsible for, the work in connection with poultry operations at the House of Correction; to supervise and instruct inmates as to the

proper methods of raising and caring for poultry and poultry products; and to perform other related work as required.

Range of Compensation:

Annual \$2,300-\$2,400-\$2,500-\$2,600-\$2,700-\$2,800.

Referred to Executive Committee.

FEDERAL GRANT, P. W. A. BRIDGE PROJECT.

The following was received:

City of Boston,
Office of the Mayor, November 7, 1938.
To the Honorable the City Council.

Gentlemen,—On September 12, 1938, your Honorable Body approved a P. W. A. project for the reconstruction and repair of the following bridges: Albany Street Bridge, Berkeley Street Bridge, Boylston Street Bridge, now known as P. W. A. Project Mass. 1584F. This project was approved by me on September 13, 1938.

A loan order for this project was passed by your Honorable Body after second reading on September 26, 1938, and approved by me on September 29, 1938.

I have received an offer by the United States of America to aid in financing the construction of said project by making a grant to the City of Boston in the amount of 45 per cent of the cost of said project, said grant not to exceed in any event the sum of \$119,250. I am transmitting herewith to your Honorable Body the following:

1. Copy of offer by the United States of America to aid in financing the construction of said project by way of grant;

2. Copy of terms and conditions (P. W. A. form No. 230) referred to in said offer; and

3. Form of order of acceptance of offer relating to said project.

In view of the necessity of prompt action in order to obtain said grant, I urgently recommend prompt consideration and passage by your Honorable Body of the accompanying order.

Yours very truly,
MAURICE J. TOBIN, 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 construction of two bridges and alterations to an existing bridge and approaches, a copy of which offer reads as follows:

"Federal Emergency Administration of Public Works,

Washington, D. C.,
Dated: November 4, 1938.
Docket No. Mass. 1584-F.

City of Boston,

Boston, Suffolk County, Massachusetts.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of two bridges and alterations to an existing bridge and approaches (herein called the "Project") by making a grant to the City of Boston, Suffolk County, Massachusetts (herein called the "Applicant"), 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 (herein called the "Administrator"), but not to exceed, in any event, the sum of \$119,250.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 11 months from the commencement of construction.

3. This Offer is made subject to the special condition that the United States of America shall be under no obligation to furnish any funds by way of grant unless and until the approval of the Governor and the State Emergency Finance Board shall have been submitted to the Administrator.

4. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged

services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

UNITED STATES OF AMERICA,
FEDERAL EMERGENCY ADMINISTRATOR
OF PUBLIC WORKS.

By (Sgd.) E. W. CLARK,
for the 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 terms and conditions relating to such grant, a copy of which terms and conditions were annexed to the Government's offer and made a part thereof.

Referred to Executive Committee.

P. W. A. PROJECT, BOSTON TRADE SCHOOL.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the Honorable the City Council.

Gentlemen,—On September 3, 1935, your Honorable Body approved a P. W. A. project for addition to the Boston Trade School, now known as P. W. A. Project Mass. 1094F. This project was approved by the then Mayor on September 4, 1935.

A loan order for this project was passed by your Honorable Body, after second reading, on October 28, 1935, and approved by the then Mayor on October 29, 1935.

I have received an offer by the United States of America to aid in financing the construction of said project by making a grant to the City of Boston in the amount of 45 per cent of the cost of said project, said grant not to exceed in any event the sum of \$40,500. I am transmitting herewith to your Honorable Body the following:

1. Copy of offer by the United States of America to aid in financing the construction of said project by way of grant;

2. Copy of terms and conditions (P. W. A. form No. 230) referred to in said offer; and

3. Form of order of acceptance of offer relating to said project.

In view of the necessity of prompt action in order to obtain said grant, I urgently recommend prompt consideration and passage by your Honorable Body of the accompanying order.

Yours very truly,
MAURICE J. TOBIN, Mayor.

City of Boston,
Law Department, November 14, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I am inclosing a form of letter for transmittal by your Honor to the Honorable the City Council in connection with the acceptance by the City Council of the offer of the United States of America to the City of Boston to aid by way of grant in financing the construction of an addition and alterations to the Boston Trade School.

This offer is dated November 9, 1938, and must be accepted or rejected within seven days of the date thereof or November 16, 1938. Therefore, action by the City Council at its meeting today is of extreme importance.

I am also submitting a form of order providing for acceptance by the City Council of said offer of the United States of America.

Very truly yours,
HENRY PARKMAN, JR.,
Corporation Counsel.

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 of addition and alterations to the Boston Trade School, including necessary equipment therefor, a copy of which offer reads as follows:

"Federal Emergency Administration
of Public Works,
Washington, D. C.,
Dated: November 9, 1938.
Docket No. Mass. 1094-F.

City of Boston,
Boston, Massachusetts.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of an addition to and alterations of an existing school building, including necessary equipment (herein called the "Project"), by making a grant to the City of Boston, Massachusetts (herein called the "Applicant"), 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 (herein called the "Administrator"), but not to exceed, in any event, the sum of \$40,500.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 8 months from the commencement of construction.

3. This Offer is made subject to the special condition that the United States of America shall be under no obligations to furnish any funds by way of grant unless and until (and prior to December 31, 1938) the approval of the Governor and the State Emergency Finance Board shall have been submitted to the Administrator.

4. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

UNITED STATES OF AMERICA,
FEDERAL EMERGENCY ADMINISTRATOR
OF PUBLIC WORKS,
By (Sgd.) H. A. GRAY,
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 terms and conditions relating to such grant, a copy of which terms and conditions were annexed to the Government's offer and made a part thereof.

Referred to Executive Committee.

SAVIN HILL BEACH BENCHES.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the chairman of the Park Department relative to your order of October 17, 1938, concerning repairs to benches at the Savin Hill Beach.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 25, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memorandum of October 23, with inclosure, order from the City Council that the Park Commission make immediate repairs to benches at the Savin Hill Beach.

These seats are in very poor condition, but the fact remains, it is impossible to keep them in good condition. They have been repaired twice this year, but the vandals in this district insist on removing the slats and even go so far as to break the concrete posts.

Unless this vandalism can be controlled, it is absolutely useless for the department to again repair these seats.

The finances of this department will not allow

this work to be done at the present time— unless I can get it done as a W. P. A. project the seats will have to remain as they are.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

BLEACHERS, SAVIN HILL PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, November 3, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of October 17, 1938, concerning erecting bleachers on the Savin Hill Playground.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, October 28, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have a memorandum of October 24, relative to erecting bleachers on the Savin Hill Playground.

This request deserves special consideration. The ideal location for baseball bleachers would be in the rear of the home plate and partly along the first and third base lines, or the main baseball diamond; but this location would be a very poor one for a football gridiron. On the other hand, a location for football would be very poor for baseball.

Furthermore, any bleachers constructed on this playground would have to be considerably above grade, and the structure would necessarily block the ocean view from the surrounding district and objections would be made from the abutters. This area is filled-in land and it would be necessary to place a pile or caisson foundation, which would make it very expensive.

The present rows of seats back of the first and third base lines serve as bleachers for spectators as a baseball game, as they are erected on the slopes between the upper level of the roadway, walk and playground; but unfortunately, the strong-armed boys will not allow them to remain to be used as such.

Further study will be given this request.
Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

RESURFACING OF CLAREMONT STREET,
WARD 4.

The following was received:

City of Boston,
Office of the Mayor, November 14, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Commissioner relative to your order of October 17, 1938, concerning the resurfacing of Claremont street, Ward 4, under the W. P. A. plan of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
November 2, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.
Dear Mr. Doyle,—I return order of the City Council requesting that the Commissioner of Public Works resurface Claremont street, Ward 4, under the W. P. A. plan of construction.

Claremont street is a private way and until its acceptance and construction are ordered by the Board of Street Commissioners this department would be unable to comply with the request contained in this order of the City Council.

I respectfully suggest that the Council order be referred to the Board of Street Commissioners, for consideration.

Respectfully yours,
GEORGE C. HYLAND,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Alhany Carpet Cleaning Company, for refund on refuse tickets.

Sigrid B. Anderson, for compensation for injuries caused by an alleged defect in Hyde Park avenue.

Martha A. Bruce, for compensation for injuries caused by an alleged defect at Gardner and Malvern streets.

Michael V. Cullen, for refund on refuse tickets.

William J. Degnan, to be reimbursed for judgment issued against him.

Cornelius J. Driscoll, for compensation for damage to car by police car.

Leon Dyer, for compensation for damage to car caused by an alleged defect in Mt. Vernon street.

Frances E. Gardner, for compensation for damage to property at 175-188 St. Botolph street, caused by defective sewer condition.

Leo G. Hearn, to be reimbursed for judgment issued against him.

Maurice F. Horan Company, for compensation for damage to car caused by an alleged defect in Oak street, Hyde Park.

John Kalen, for compensation for damage to car by city truck.

Rose Lespasio, for compensation for damage to property caused by tearing down building at 4 Gould's court, East Boston.

Fred E. Mann, for compensation for damage to car by city truck.

Mae McDonough, for compensation for injuries caused by an alleged defect at 26 Franklin street.

Delia M. Monahan, for compensation for damage to property at 125 Murdock street, caused by police ambulance.

Harry M. Noonan, for compensation for damage to car by city truck.

Edward Nowak, for compensation for damage to property by city truck.

Estate of Thomas E. Proctor, to be reimbursed for expenses incurred in digging drain at 42 and 44 Batterymarch street.

Sarah E. Regan, for compensation for injuries caused by an alleged defect in Harvard avenue.

Antoinette Roof, for compensation for injuries caused by an alleged defect at Charles and Boylston streets.

Theodore Ruhin, for compensation for damage to car caused by an alleged defect at Atlantic avenue and Pearl street.

Marguerite C. Stebbins, for compensation for damage to car caused by an alleged defect in Walter street, Roslindale.

Philip Stein, for compensation for damage to car by ash wagon.

Bessie Sussman, for compensation for damage to car by car of Health Department.

Harriet F. Webb, for compensation for injuries caused by an alleged defect at 12 Cumberland street.

Daniel A. Whelton, for refund on premiums paid on bond as Special Sheriff.

Executive.

Petition of Marion G. O'Brien to be paid annuity on account of death of her husband, John W. O'Brien, late member of Fire Department.

Petition of The Figure Skating Club for child to appear at Boston Arena, November 10.

Committee on Jitney Licenses.

Petition of Peter Pan Bus Lines for license to operate motor vehicles from Park square to Brookline line: Park square to Arlington street, St. James avenue, Copley square, Huntington avenue to Brookline line, returning, Huntington avenue, Stuart street, Broadway, Park square.

APPROVAL OF CONSTABLE'S BOND.

The constable's bond of Morris Glick, having been duly approved by the City Treasurer, was received and approved.

APPROVAL OF P. W. A. PROJECTS.

Notice was received from the Emergency Finance Board inclosing two votes passed November 2, 1938, approving P. W. A. projects, alterations to Trade School and reconstruction of three bridges.

Placed on file.

INTEREST IN CONTRACT.

Notice was received from Henry J. Smith of sale to City of Boston, through his employers, Hornblower & Weeks, of bonds to funds of Overseers of Public Welfare, Mount Hope Cemetery Fund, Library Trustees, Ainsley Fund.

Placed on file.

NOTICE OF LAND-TAKING.

Notice was received from the Metropolitan District Commission of taking on October 6, 1938, of land owned by city for purpose of constructing traffic circle at intersection of West Roxbury Parkway and Centre street.

Placed on file.

APPOINTMENT OF JOHN F. DOWD.

Notice was received from the Secretary of the Commonwealth that John F. Dowd was appointed Sheriff of Suffolk County on October 5, 1938, to fill the vacancy caused by death of John A. Keliher on September 20, 1938, and that on October 13, 1938, he took and subscribed the qualifying oaths thereunder.

Placed on file.

USE OF TRECOTT SCHOOL.

Notice was received from the School Committee of ruling by Law Department that there can be no temporary transfer of a school building to any other department of the city, and that while the School Committee has authority to use the Trecott School building as a health and social center, the center would have to be under the supervision and control of the School Committee. The School Committee could not, under present conditions, take over the maintenance of the suggested center.

Placed on file.

RESIGNATION OF COUNCILOR JOHN F. DOWD.

The following was received:

Boston City Council,
November 14, 1938.

To the Honorable Members, Boston City Council.
Gentlemen,—I hereby resign as a member of the Boston City Council, effective at the adjournment of today's session of the City Council.

For various reasons, legal and otherwise, I believe that this action on my part is understandable.

It is with profound regret that I sever my connection with this body, where I have served as a councilor for thirteen years. That service, and the friendships formed during that service, have made it possible for me to be the Sheriff of Suffolk County.

I consider membership in the City Council to be a distinct honor, a great privilege, and a source and avenue of real educational possibilities and worthwhile public service. I shall always cherish the memories of my service in this body, and the associates with whom I served, and I shall always be grateful to those who, for thirteen years, made that service possible.

Respectfully,

JOHN F. DOWD.

Placed on file.

Coun. DOWD—Mr. President and Fellow Members, at the close of today's session of the City Council my resignation from this body—where I have served for thirteen years—becomes effective. There is much I could say today in my final talk here; much I could say about the men with whom I have served during those years, some of them now gone to their final resting place, and all men of real human understand-

ing, many of whom came here and served at great personal loss. There is much I might say of the four Mayors under whom I served, their character and habits and capacity as leaders. There is much I might say of the tremendous changes that have taken place since first I came here, the change from prosperous, happy days to the gloomy days of depression. There is much I might say of the city officials and employees with whom I have been in contact so frequently during recent years. There is much I might say today on a great variety of subjects, but I hesitate to take up the time of the Council with matters that might properly be left in the fields of memories. I do wish, however, to leave behind just one thought, and that is this: I believe that this Council is too little appreciated and too often overlooked by those who know something of government. In my years in this Council the body has been severely criticized on many occasions—and unjustly so on most occasions—but the number of times it has received any praise can be numbered on the fingers of our hands. Now, we who have served here for any length of time—and even those who have served but a short time—realize that the body is the people's first line of defence. We are closer to them than any other elected body, and to us they come with every sort of a problem that confronts them. During the years of the depression we have borne the brunt of the burden and, to the credit of all the members of the body, we have done more good than could be thought possible with the limited powers at our command. I believe the Council receives too little credit for the work it does, both collectively and individually. In our official capacity we have saved the taxpayers of this city many thousands of dollars when some Mayor acted hastily or unwisely. We have, by our advice, made possible, on numerous occasions, better municipal service and more efficient government. With the limited powers and authority the body has I say that it has accomplished more than many other bodies which have wide powers and wide authority. We have a right to be proud of what we have done and what we are doing as members here—and for one I shall always consider it a distinct badge of honor to have been a member of the body. In leaving here today—and putting behind me all the memories and pleasant associations that have gone with my membership—I do so with a heavy heart. I have looked forward to this day when I would say good-by and take over higher office with great expectations, but now that the day is here I confess that my feelings are as sorrowful as they are joyful. I leave here today with the most friendly feelings toward all. In my service here I have tried to be fair and decent in my dealings with my fellow members. I have tried to give my city good representation. I have tried to meet all the requests and demands of my constituents. Here and there along the line I have failed—even as we all must fail occasionally—but, in the main, I believe I have shown my gratefulness to those who year after year, elected me to the body, by giving the best sort of service of which I am capable. I shall miss this Council. I shall miss the dynamic councilor from Ward 18. (Coun. Norton) and his profound discussions of world affairs. I shall miss our genial President, I shall miss the wise councilor from Ward 17 (Coun. Wilson) and his careful analysis of the most minute matters of city government. I shall miss the councilor from Brighton (Coun. Agnew) and his example of how cross-examination should really be made. I shall miss the lady councilor from my neighboring ward (Coun. Harris), who says but little but accomplishes much. I shall miss the councilor from East Boston (Coun. Irwin) almost as much as he misses the relief station and the ferries. I shall miss the councilor from the Back Bay (Coun. Shattuck) and his solid and substantial characteristics. I shall miss the councilor from Ward 3 (Coun. Fitzgerald) the one leader in the city who can really deliver votes—and to him I leave the mantle of seniority as a member of this Council. In fact, I shall miss you all more than I can say. I will miss the give and take, the arguments, the debating and all the activities of the body, which keep a man keen of mind and actively aware of conditions; the advice and assistance which you have always been so free to give and which, during this last election, you gave me almost to a man without stint and without a thought of return. I shall miss all those in this city government with whom I have become acquainted dur-

ing my years of service, and I wish now to thank every person in this city government who at some time or other may have given me some help. I especially thank all the attaches of this Council who have done a great deal of detailed, tiresome work for me, with never a single complaint or single refusal. I wish particularly to advise the members of the body as a result of my experience here, on any matter where they wish to be of help to the people of their districts and of the city, to consult our clerk, Mr. Wilfred Doyle, and our assistant clerk, Mr. John Hynes, and take their advice. I have found such advice to be of the greatest value to me at all times, as it has been to other members of the body, and I cannot too highly rate their knowledge of city affairs, which makes them of such valuable assistance to us all. So, my friends, I leave this body with only the best of feelings and the best of friendship towards everyone here. I hope as the years go on, we will have many opportunities to refresh that friendship, and I hope, too, that those who are here today, and who are ambitious to go forward in public life, will have the same success that has been my good fortune. I am proud and grateful that I have been a member of the body and hope that the honors which were given me in the past were repaid by the service I have given while a member. I feel confident that the education I received here—the understanding of human nature I obtained here and the knowledge of city and county government I learned here—will make it possible for me to be a good Sheriff of the County of Suffolk. I know I have your good wishes, and those good wishes, combined with the good wishes and prayers of my other friends, will give me, through Divine Providence, the strength and character to be a good public servant in the years to come. I wish also to say to the members of the Council, off the record, that I certainly appreciate, as I have appreciated throughout all these years, the assistance which you have all given me. At times we have had our verbal differences, but they have been honest differences on the part of all. Leaving this Council to become Sheriff of Suffolk County, I believe that I shall be a good sheriff largely because of my experiences in this body and the knowledge I have here obtained, as I have endeavored to be a good councilor. I am entering upon my duties as sheriff with but one idea, one thought in mind, and that is to give to the people of Suffolk County the same type of service that I have at all times endeavored to render to the people of my district and to the people of this city. I thank you. (Applause.)

President KERRIGAN—Speaking, I know, for all the members of the Council, I receive Councilor Dowd's resignation with deep regret.

Coun. FITZGERALD—Mr. President, I wish at this time, as one of the old members of the Council, to say just a few words, which I think should be said on the occasion of the resignation of our friend, the gentleman from Ward 3, who has been elected Sheriff of Suffolk County. It is with deep regret, a regret that I know is also felt by every other member of the body, that I see Councilor Dowd depart from us; but it is also with a feeling of great satisfaction that he has been called to another large and valuable sphere of influence. I have never lost faith that he would ultimately be sheriff of the county, a faith that has grown stronger and stronger during the past six years. He is the second member of the City Council of recent years who has gone from this body to a major office, and from the same district that he has represented here. The two such have been our ex-Mayor and Governor Curley, and now Councilor John F. Dowd. The newspapers have said that the Council has never been successful in having any of its members elected to higher office than Representative or Senator, but that has been proven not to be so in these two instances. There is one thing that the members of the Council will find as they look over the records of the past thirteen years, that Councilor Dowd has at all times fought for what he considered the right thing. He never hesitated for a moment to strike what he thought was a wrong. If he felt that the Mayor was wrong, he said so, and he hit hard, at times causing such feeling that he was not a welcome visitor at the Mayor's office. There is one instance that stands out in my mind, and that is a discussion concerning this man with a former Mayor of the city. I talked to the Mayor, feeling that he should bury the hatchet, but he would not treat with the gentle-

man from Ward 8, and I remember how he rose in his might, and I remember the remarks he made to me. He could well have profited by a more intelligent and conciliatory course. I remember what I said to him, but it was to no avail. That man has now gone out of office, and new men have appeared on the scene. Mayors are elected and think they are all-powerful; governors are elected and think they are all-powerful. But they pass on and new men appear on the scene. And Councilor Dowd has now gone to the high office of sheriff, one of the most important and powerful offices in this community.

Coun. AGNEW—Mr. President, I cannot let the occasion pass without adding a few words to the record. Needless to say I am very much surprised and disappointed at the resignation of Councilor Dowd from the body. I think if he were to withhold the resignation for awhile it would meet the entire approval of each and every member of the Council. In passing, may I speak a few words of a personal nature? During my membership in the body I have always found Councilor Dowd's knowledge of municipal affairs and his readiness to assist newer members of the Council of the utmost value. Councilor Dowd, you have been a balance wheel to members of the Council like myself, who came here as new members, while you had had years of experience and knew your way around, knew what it meant when matters pertaining to municipal affairs came before us. You have always had great courage, as we have at all times had occasion to realize; and I know that as you become accustomed to your new duties as sheriff of the county you will show the same courage and intelligence in the administration of the affairs of that office that you have shown here as a City Councilor. Not only has your courage and knowledge of municipal affairs been of great value to your district, but they have also been of great value to the people of the entire city. I know that the people of Boston are going to be happy that you have been elected as their sheriff and that you will carry on in your sphere of action with the same courage and intelligence that you have shown here as a Councilor of the City of Boston, acting not alone for your constituents but for the people of the entire city. As you pass through the portals of this great chamber on this last day of your membership of the Council, I, and I know the same is true of every member of the body, wish to you the greatest possible success in the performance of your new duties as sheriff, and I trust that you will find the future not only fruitful in service to the people of the county, but a source of pleasure to yourself.

Later in the session Coun. MURRAY offered the following:

Whereas, John F. Dowd has this day resigned as a member of the Boston City Council, completing close to thirteen years of consecutive and outstanding service as a member of this body;

Whereas, John F. Dowd has been acknowledged and recognized by all for the high character of his service as a courageous representative of the people, and as a vigilant defender and protector of the rights and privileges of the ill, the unemployed and the unfortunate;

Whereas, John F. Dowd, by his own energy, labor and perseverance, has become an expert in the science of government, and has been deservedly rewarded by the citizens of the County of Suffolk by election as Sheriff of said County by an overwhelming majority; therefore he it

Resolved, That the City Council of the City of Boston, in meeting assembled, hereby extends to John F. Dowd its unanimous voice of deep regret at his departure from this body, and expresses its opinion that the termination of this chapter of loyal and constructive service to his fellowman is but a prelude to other chapters of greater public accomplishment in the future; and further extends to John F. Dowd a sincere and heartfelt desire that the years to come will bring to him a fullness of health, happiness and contentment.

The resolution was adopted by a unanimous rising vote.

Coun. MURRAY offered the following:

Ordered, That the City Clerk be authorized to have suitably engrossed the resolutions passed by the City Council upon the resignation of John F. Dowd, the expense to be charged to the Contingent Fund.

Passed under a suspension of the rules.

STOP SIGNS, WARD 15.

Coun. KELLY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install "Stop" signs at the intersection of Greenbrier and Dakota streets, Ward 15.

Passed under suspension of the rule.

DISCONTINUANCE OF FIVE-CENT CAR-FARES.

Coun. KELLY, KERRIGAN and MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to confer with the five public trustees of the Boston Elevated Railway Company in an attempt to prevent them from discontinuing the five-cent carfare for short rides in all sections of the Boston Elevated district.

Coun. KELLY—Mr. President, the five public trustees of the Boston Elevated Railway Company have announced that they intend to abolish the five-cent fare on all of their lines starting Saturday, November 19. This will be a great blow to many persons of moderate circumstances. These five public trustees have just received their ten-year appointments at \$5,000 a year for a few hours' work one day a week. They claim a huge deficit every year because they know that as a result of an existing unfair law the people of Boston will be compelled to pay over 65 per cent of any deficit they may claim. The books of these five public trustees are private and secret and cannot be seen by the public on any consideration. Who knows what manipulations are going on under such conditions? These five public trustees can claim any loss every year and the poor public that pays the bills must pay. We do not hear them say a word about paying \$5.00 per share every year on 238,000 shares of common stock which is selling today on the market at \$50 per share. Imagine these five public trustees, paying practically a 10 per cent dividend, amounting to \$1,200,000 every year to common stockholders of a corporation that is supposedly losing about three million dollars a year! What kind of business is this? They continue with their poor car and bus service. They continue to lay off men and women and, in the same breath, they recently voted to increase the salary of the General Manager, Mr. Dana, from \$21,000 to \$25,000 per year and the salary of the Vice President, Mr. Moran, from \$14,000 to \$18,000 a year. Action should be taken immediately by our elected public officials to protect the public. I ask a suspension of the rules and the passage of this order.

Coun. SHATTUCK—Mr. President, I think in fairness to the trustees one or two points should be mentioned. Under the law of 1918, they are required to fix fares at a point that will pay for the cost of service. The trustees did not pass that law. They had nothing to do with it, but they are obliged to operate under it until it is changed. The statement has been made that the books are secret. I don't understand that that is so. I believe a few years ago the Department of Public Utilities started in making annual examinations of the affairs of the Elevated, with a view to seeing what economies, if any, could be adopted, and that an annual report is made. Some years ago a number of economies were adopted through the Department of Public Utilities, but the trustees have gone about as far as they can at the present time, and feel that new measures must be taken to increase the revenue of the road. Therefore, I don't think the trustees are to be blamed, when they are simply carrying out the law. Change the law, if you will, but don't blame the trustees for the law as it stands.

Coun. ROSENBERG—Mr. President, I had a similar order that I was prepared to present asking the public trustees of the Elevated to suspend their proposed program to establish a ten-cent fare, in place of the present five-cent fare, for zone riding. I believe that the present proposed increase of fares for such riding is unfair and unjust. It imposes the burden on the people who are least able to carry it, practically amounting to a sales tax on the persons least able to stand it. There is even serious doubt whether the proposed plan will increase the revenue of the road, as many of the five-cent or local lines are now used for purposes of convenience, and if

the fares are increased to ten cents they will not be as extensively used as they are today. When you consider the service that people outside of Boston are obtaining, riding over long routes for ten cents, it would certainly seem that the payment of five cents on these short lines is nothing but a just. As I say, there is a serious doubt whether the proposed plan will even reduce the deficit by the road, and we certainly should not sit idly by and see it put into effect without a protest. Many of the people who are now riding on these lines will not continue to do so, and we are going to find the same continued deficit in the Elevated receipts, along with the hardship imposed on people who are now able to use these short lines for a five-cent fare. I certainly hope that the Mayor will be able to confer with the public trustees, with the idea of bringing about a continuance of the five-cent zone system.

Coun. TAYLOR—Mr. President, this order has considerable merit, when you consider the fact that the Boston Elevated Railway Company, the private company, has never suffered a personal loss or deficit. When the business became bad the Commonwealth took it over and paid the bills, and the stockholders have continued to receive their annual dividends regardless of whether there was a deficit that had to be met by an assessment. But the strange thing, even so, is this, that there has never been a surplus, but always a deficit, in spite of the fact that outside of this city there are many private transportation companies which apparently are making a profit. However, as long as the people of Massachusetts pay the bills the Boston Elevated Railway Company will purchase the best of rolling stock for the system, the best rolling stock that you will find on any system in the entire United States, with a view to keeping up the road, so that when it comes back into the hands of the directors in the future it will be in first-class condition. Not for one moment have they ever considered economies, such as are considered by other companies, during hard times. They knew that at some time or other they were going to get the Elevated Railway back, and when they got it back they were going to have it in good condition with the best rolling stock and rails that could be procured. That is the reason why we have these deficits today, although we have just as many people riding in the street cars. There is no reason why this mismanagement should continue, and why the people must pay the bills.

Coun. CAREY—Mr. President, I also have had an order prepared similar to the one introduced by Councilors Kerigan, Kelly and Murray.

(Coun. Carey here sent an order to the Chair which the Chair ruled could not be considered at this point while Coun. Kelly's order was pending.)

Coun. CAREY—Under the order offered by Councilor Kelly, I understand that the Mayor is requested to confer with the trustees in an attempt to prevent them from discontinuing the five-cent carfare for short rides. My order goes further, requesting the Mayor to use every means at his command to bring about an investigation of the control, operation and expenditures of the company, especially in so far as it affects the citizens of Boston. The increase in the five-cent fare voted by the Elevated Trustees will prove very harmful to the business of a great number of stores, particularly those in sections of the city that can ill afford it. This increase will, furthermore, be a burden on a great number of car riders who can ill afford it. Such of these five-cent lines as I am acquainted with are of the short-haul variety and this increase will unfairly penalize numbers of people who should be given the advantage of the short-haul cost, and who should not be expected to pay for the additional service, with a corresponding increase in the cost of the transportation, that is necessary for those who use the Elevated service for much greater distance. According to my information the books of the Elevated road are available, at best, only to members of the Public Utilities Commission. Their records are too much of a secret, and I believe it might be a very good idea for Mayor Tobin to petition the Legislature for a complete investigation into the earnings, operations and expenditures of the Elevated in so far as they affect the citizens of Boston. A short while ago, with the aid of an appropriation by the Boston City Council, because of a very fine job done by the City Law Department, in conjunction with assistance by specially hired counsel, much

valuable light was shed on the justification, or rather the entire lack of justification, for a proposed increase in the gas rates. Such an investigation, and I am sure that the members of the City Council will very gladly approve such appropriation as is necessary for this investigation, into the affairs of the Elevated will, no doubt, prove most beneficial. The trustees, all of whom I respect, are, no doubt, doing their job well and are making an effort to reduce this yearly deficit. Something can be wrong, nevertheless, and I sincerely feel that the time has come when the riding public, who is paying the entire freight, is entitled to find out just why a continued deficit is necessary. I am sure that such action as I have proposed in my order would be very beneficial, and at the same time I sincerely hope that the order offered by Councilor Kelly will be passed.

Coun. SULLIVAN—Mr. President, the notice published by the public trustees was not very definite. Mr. Dana says that he cannot tell just how long this temporary try-out will continue. But, in view of the fact that the City of Boston is deeply interested in this matter, I think we should have Mr. Dana come before our Executive Committee and give us more information. I ask, therefore, that such an invitation be extended to him. I can see no justification whatever for this plan. Certainly, by carrying it out they cannot get more than \$400,000, and that is a liberal estimate. That would amount to 24 cents a thousand in our tax rate, and if a man is paying taxes on a house which is assessed for \$4,000 that would mean 96 cents. Ten rides back and forth under this new plan would amount to more than that 96 cents. So this plan would really mean a serious loss, instead of a benefit to the taxpayer. Certainly, it is no favor to any of our citizens to adopt any such plan. Therefore, I would like to have Mr. Dana come up here before our Executive Committee, so that we may get some information from him.

Coun. CHASE—Mr. President, I have several five-cent bus lines in my district. One line runs for about half a mile, another for three quarters of a mile, and another for perhaps a mile or a little over. I certainly cannot conceive how the Boston Elevated Trustees can justify a ten-cent fare on these particular lines. As I understand it, many of the riders of the Elevated system today are riding about eight or ten miles for a ten-cent fare. There is certainly no rhyme or reason in the Elevated expecting the people of Boston to pay ten cents for a half mile or mile ride when they are charging only ten cents for a ride of eight or ten miles. I am very happy to vote for the order requesting the Mayor to confer with the trustees in an attempt to prevent a discontinuance of the five-cent fare on these zone lines.

Coun. IRWIN—Mr. President, I had an order prepared similar to that which has been introduced by Councilor Kelly. I believe in most particulars it is the same. I believe this is one of the most preposterous ways of reducing the Elevated deficit that was ever attempted. They say they are simply going to try it for awhile. But the time they are selecting can hardly be considered opportune. We can now expect during the winter and in the early spring cold, stormy weather, and that is the time, when people will be compelled to use these lines, that they are selecting for their try-out. In the four years that I was a member of the Legislature I always introduced a bill that the Elevated Trustees be elected by the people. I think the fact that they are not so elected is where the great fault lies. The entire membership of the Board of Trustees is appointed for a ten-year term. They are not worrying about Elevated deficits. They are appointed for ten years, with a good salary, and they are not elected by the people and supposed to carry out the people's wishes like everybody here. As I understand it there is going to be an order introduced for the benefit of W. P. A. workers so that they may still ride on these lines for five cents, not only they, but other poor people who cannot afford to pay the ten cents will be affected by this plan of the Elevated Trustees. In my district I know of cases where people can now go from one farthest point to the other farthest point for five cents. If this goes into effect, in going back and forth they will be hit by a twenty-cent instead of a ten-cent carfare. The trouble is, Mr. President, that the trustees are not responsible to the people, and that is the reason why they can take such action without

any recourse. Therefore, they go ahead in an irresponsible way with these plans, without knowing what is going to happen. Even supposing Mr. Dana should come in here before the Executive Committee, he would simply give us a lot of facts and figures, and when he was through we would not understand the situation any better than we did in the first place. The fact is, however, that a great many people in the City of Boston will be adversely affected by this proposed plan, and I shall therefore oppose it in so far as is possible. I believe we should vote for the order.

Coun. SHATTUCK—Mr. President, I think the suggestion made by the gentleman from Ward 22 (Coun. Sullivan) was a good one. We know that we have a deficit of \$3,000,000 or so on the Elevated today that must be paid out of the tax rate. We don't know how much that deficit might be reduced by the proposal they have made. It is possible that very little reduction in the deficit will result. Perhaps people would travel by other means, or walk. Personally, I would like very much to hear what Mr. Dana has to say on the subject. We don't know whether the saving that might be made would be sufficient to justify the proposed plan. I think we would all like information on that point.

The order offered by Coun. Kelly, Kerrigan and Murray was passed under suspension of the rule.

HOUSING PROJECT IN WEST END.

Coun. FITZGERALD offered the following:
Ordered, That his Honor the Mayor request the Boston Housing Authority to make a survey of the lower part of the West End of Boston with the view of establishing on this side a Federal Housing Project, and that said Authority confer with the owners of the property in that area, to the end that a Housing Project will be started in this section of Boston at the earliest possible time.

Coun. FITZGERALD—Mr. President, I have here a report on the housing survey by the Democratic Ward Committee of Ward 3, for the pur-

pose of determining a method of financing a United States housing project in the West End section of Boston. I shall not take up the time of the Council by reading it, but I would like to have it incorporated in the record.

The report submitted by Coun. Fitzgerald is as follows:

HOUSING SURVEY BY THE DEMOCRATIC WARD COMMITTEE, WARD THREE, BOSTON.

November 12, 1938.

This survey has been prepared by the Democratic Ward Committee of Ward Three, for the purpose of determining a method of financing a United States Housing Project in the West End Section of Boston.

It is the finding of the committee from contacts made with property owners and the examination of previous sales, that due to the excessive assessed valuations placed on real estate in the district, property can be purchased for prices below the assessed value. As this committee has been handicapped by the time its members can spare to the work of preparing this report, no options on property are available to prove our contention of low prices, therefore, 1938 City of Boston assessed valuations have been used throughout for the purpose of preparing figures to show a method of financing such a project. This survey will prove that a project is practical and can be financed without placing any additional financial burden on tenants than the present Old Harbor Village. We submit the following 6.4 acre tract which is the most dilapidated and substandard area in the West End, bounded as follows:

Causeway street to Leverett street, Leverett street to Spring street, Spring street to Chambers street, Chambers street, to Brighton street, Brighton street to lot lines adjacent to the Boston Elevated Railway Viaduct by the same lot lines to Lowell street, Lowell street to Cotting street, Cotting street to Wall street, Wall street to Causeway street to the point of beginning. Containing the following blocks and assessed values:

| | 1938 Assessed Value. | Area in Square Feet. | Value Per Square Foot. |
|---------------------|----------------------|----------------------|------------------------|
| BLOCKS. | | | |
| 161B | \$86,900 | 28,661 | \$3 03 |
| 162B | 155,900 | 31,260 | 4 98 |
| 165 | 232,300 | 55,986 | 4 15 |
| 169 | 98,300 | 24,189 | 4 06 |
| 170 | 77,500 | 22,708 | 3 41 |
| 170A | 42,900 | 9,020 | 4 75 |
| PART BLOCKS. | | | |
| 171 | 129,900 | 34,193 | 3 79 |
| 171A | 81,200 | 21,254 | 3 82 |
| 172 | 30,900 | 9,251 | 3 34 |
| Totals | \$935,800 | 236,531 | \$3 95 |

In the above site the following streets and passageways may be closed:

| | Area of Streets. | Area of Passageways. | Total Area. |
|-----------------------------|------------------|----------------------|-------------|
| STREETS. | | | |
| Cotting | 4,500 | | |
| Wall | 6,600 | | |
| Minot | 11,200 | | |
| Willard | 6,720 | | |
| Barton | 9,520 | | |
| PASSAGEWAYS. | | | |
| Ransom court | | 1,100 | |
| Cushman avenue | | 900 | |
| Brighton Street place | | 1,500 | |
| | | | 42,040 |

| | |
|---|----------------|
| | Square Feet. |
| Area of assessed properties | 236,531 |
| Area of closed streets and passageways .. | 42,040 |
| Total area of site | <u>278,571</u> |

This site of 278,571 square feet contains 6.4 acres.

Considering that a building coverage of about 30 per cent on this 6.4 acres would provide approximately sixty apartments per acre in three stories and approximately eighty apartments per acre in four stories. As the West End of Boston is predominantly a four-story apartment house district, with several apartments of five stories, we, therefore, suggest that a project in the West

End should contain four-story apartment type buildings.

On this basis we propose the following number of apartments:

| NUMBER OF STORIES. | Percentage Coverage. | Number of Apartments Per Acre. | Number of Acres. | Total Number Apartments. |
|--------------------|----------------------|--------------------------------|------------------|--------------------------|
| 3..... | 30 per cent | 60 | 6.4 | 384 |
| 4..... | 30 per cent | 80 | 6.4 | 512 |

METHOD OF FINANCING.

The present policy of the United States Housing Administration appears to be a full allotment of funds to purchase the first \$1.50 per foot value

of land and buildings. The remaining value to be divided into a one third allotment by the administration and a two thirds allotment by the local authority. For this project the above allotments would have the following values:

| | Per Foot Value. | Assessed Value. |
|---|----------------------------------|-----------------|
| Administrators' basic grant..... | \$1 50 | \$354,796 |
| Administrators' one third additional grant..... | 81 ¹ / ₃ | 193,660 |
| Authorities' two thirds grant..... | 1 63 ¹ / ₃ | 387,344 |
| Total grant..... | \$3 95 | \$935,800 |

| | |
|----------------------------------|------------------|
| Total administrators' grant..... | \$548,456 |
| Total local authority grant..... | 387,344 |
| Total grant..... | <u>\$935,800</u> |

The above figures require that the local authority float a fifteen-year amortized bond issue for \$387,344. The most this would cost this authority in fifteen years would be:

| YEARS. | Principal. | Annual Principal Payment. | Annual Interest Payment at 3 Per Cent. | Annual Principal and Interest Payments. |
|-------------|--------------|---------------------------|--|---|
| 1..... | \$387,344 00 | \$25,822 93 | \$11,620 32 | \$37,443 25 |
| 2..... | 361,521 07 | 25,822 93 | 10,845 63 | 36,668 56 |
| 3..... | 335,698 14 | 25,822 93 | 10,070 94 | 35,893 87 |
| 4..... | 309,875 21 | 25,822 93 | 9,296 26 | 35,119 18 |
| 5..... | 284,052 28 | 25,822 93 | 8,521 56 | 34,344 49 |
| 6..... | 258,229 35 | 25,822 93 | 7,746 87 | 33,569 80 |
| 7..... | 232,406 42 | 25,822 93 | 6,972 18 | 32,795 11 |
| 8..... | 206,583 49 | 25,822 93 | 6,197 49 | 32,020 42 |
| 9..... | 180,760 56 | 25,822 93 | 5,422 80 | 31,245 73 |
| 10..... | 154,937 63 | 25,822 93 | 4,648 11 | 30,471 04 |
| 11..... | 129,114 70 | 25,822 93 | 3,873 42 | 29,696 35 |
| 12..... | 103,291 77 | 25,822 93 | 3,098 73 | 28,921 66 |
| 13..... | 77,468 84 | 25,822 93 | 2,324 04 | 28,146 97 |
| 14..... | 51,645 91 | 25,822 93 | 1,549 35 | 27,372 28 |
| 15..... | 25,822 98 | 25,822 93 | 744 66 | 26,597 64 |
| Totals..... | | \$387,344 00 | \$92,962 35 | \$480,306 35 |

There would also be the cost of paying interest on the additional one-third grant of the administrators during this fifteen-year period:

| | |
|--|---------------------|
| Administrators' grant, \$193,660. | |
| Interest, 3 per cent. | |
| Number years, 15. | |
| Interest cost, \$87,147. | |
| Local authorities amortized bond issue..... | \$408,306 35 |
| Interest for fifteen years on 3 per cent Government grant..... | 87,147 00 |
| Total cost of financing in fifteen years..... | <u>\$567,453 35</u> |

On a basis of these figures we find that the maximum cost of providing a project in the West End over and above the cost of a project in other sections of Boston would be \$567,453.35. In studying the possible tenants for this project we have considered the large number of low paid employees with steady positions in the downtown area, such as clerks, porters and elevator operators in the banks and office buildings, the department store employees, the small mercantile shops and transportation centers. The proximity of the site to their places of employment would enable these tenants to eliminate the payment of carfare going to and returning from work. In many cases they would be enabled to return home at noon for lunch. This elimination of carfare payments on a six-day week basis would result in a saving of \$5.20 each month. If we add to this five round

trips per month, which the average family would very easily use on coming in town to shop or for entertainment, we have a total of \$6.20 a month which in whole or part could be applied by each tenant to rent without placing any additional burden on the pocket book of the tenant than a tenant of Old Harbor Village now carries. On the basis of financing this additional project cost by the use of carfare savings we find that it gives the project an added advantage as the bulk of the amortizing of the additional cost would take place during the first fifteen years of the project, at which time the project would have depreciated one quarter of its value. Having lived one quarter of its anticipated life, the authority would then be in a position to cut the rents or if it were permissible at that time to use this additional fund on major repairs. There are apparently no provisions made for reduction of rents at Old Harbor Village after depreciation, unless it be accounted for in economies of management. On the basis of our previous figures it would only be necessary to allot \$6.15 per month, per apartment to carry out financing.

| | |
|---|-----------------|
| Number of apartments, 512. | |
| Cost per apartment per month, \$6.16. | |
| Number of years, 15. | |
| Total income, \$567,805.60. | |
| Total revenue from carfare savings..... | \$567,805 60 |
| Total additional cost of project..... | 567,453 35 |
| Total surplus..... | <u>\$352 25</u> |

All figures used in this report are maximum costs, assessed values are higher than purchase costs, 3 per cent interest on the amortized bond issue is higher than need be paid. Therefore a proper cut in these figures will very much reduce the rental payments of \$6.16 cents per apartment per month. On the result of this survey this committee believes that it has proven that the cost of land in the West End is not sufficient or just cause for prohibiting the construction of a United States housing project in the West End which contains sub-standard areas second only to New York City in this country.

Respectfully yours,
JOHN I. FITZGERALD, Chairman.

The order was passed under suspension of the rule.

WITHHOLDING OF ADVERTISING OF REAL ESTATE PARCELS.

Coun. FITZGERALD offered the following:
Ordered, That his Honor the Mayor request the City Collector to withhold the advertising of real estate parcels for sale until after the Christmas holidays, in order that no further hardships may be placed upon the already overburdened property owners.

Passed under suspension of the rule.

MUNICIPAL INSURANCE FOR FREE MEDICAL CARE.

Coun. GALVIN offered the following:
Ordered, That his Honor the Mayor be requested to consider the advisability of establishing a municipal insurance whereby citizens of the City of Boston may receive free medical care without being obligated to the city in any way.

Coun. GALVIN—Mr. President, various communities throughout the entire country are about to establish municipal insurance, whereby citizens may receive free medical care without being obligated to the city in any way. In California I understand that at the present time there are about 12,000 city employees who are able to benefit in this way.

The order was passed under suspension of the rule.

APPOINTMENT BY MAYOR OF ONE ELEVATED TRUSTEE.

Coun. GALVIN offered the following:
Ordered, That his Honor the Mayor request the Law Department to petition for legislation authorizing the Mayor of Boston to name one member to the Board of Trustees of the Boston Elevated Railway, and thereby insure the protection of the rights of the City of Boston, which is obliged to pay the major portion of the Elevated deficit.

Coun. GALVIN—Mr. President, at the present time any request or suggestion that the Boston City Council might make to the Elevated Trustees doesn't do a bit of good. It seems to me that where the City of Boston contributes 65 per cent of the deficit of the Boston Elevated, the Mayor should have the right to name one member to the Board of Trustees. I believe that would be one means of protecting the interests of the City of Boston, and therefore I have introduced this order requesting the Mayor, through the Law Department, to petition for legislation authorizing the Mayor to name one member to the Board of Trustees, thereby assuring the protection of the rights of the City of Boston.

The order was passed under suspension of the rule.

FIVE-CENT FARE TO WELFARE RECIPIENTS AND W. P. A. WORKERS.

Coun. GALVIN offered the following:
Ordered, That the Board of Trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to grant a five-cent fare to welfare recipients and W. P. A. workers until such time as the present fare problem is definitely settled.

Coun. WILSON—Mr. President, not opposing this order, I think it might well be sent to the

Committee on Rules to get the opinion of the Law Department, because I do have grave doubt of its constitutionality, granting lower fares to certain people than to others; and I also think it might require some ear-marking of welfare and W. P. A. recipients, perhaps giving yellow tickets, or something of the sort, to such recipients for identification. I realize that the order is well meant, but I question whether we should pass it under suspension of the rules.

President KERRIGAN—It is simply a request.
Coun. GALVIN—Mr. President, I might answer the objection raised by the councilor by saying that at the present time the trustees of the Elevated do grant to school children of the City of Boston a five-cent fare, and I cannot see why our unfortunates who are on Welfare and W. P. A. should not receive the same recognition.

The order was passed under suspension of the rule.

USE OF STONE IN HUNTINGTON AVENUE SUBWAY.

Coun. GALVIN and IRWIN offered the following:

Ordered, That the Federal Authorities supervising the construction of the Huntington Avenue Subway be requested, through his Honor the Mayor, to consider the advisability of using 70 per cent stone in the construction of the subway.

Passed under suspension of the rule.

CLEANING OF ALLEYS AND STREETS, WARD 4.

Coun. CHASE offered the following:
Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to take the following steps in providing for thorough cleaning of the alleys and streets in the mid-town area, especially Ward 4:

1. That the head of the Sanitary Department be instructed to provide regular weekly collections of ashes and garbage.

2. That the head of the Sanitary Department be instructed to provide ample waste containers at the most logical street corners.

3. That the employees of the Sanitary Department be instructed to be thorough in the performance of their duties, and also to be courteous to those whom they contact.

Passed under suspension of the rule.

EXTERMINATION OF RODENT LIFE.

Coun. CHASE offered the following:
Ordered, That the Commissioner of the Health Department be instructed by his Honor the Mayor to use every available means to rid the mid-town area alleys, especially Ward 4, of all rodent life.

Passed under suspension of the rule.

W. P. A. PROJECT FOR EXTERMINATION OF RODENTS.

Coun. CHASE offered the following:
Ordered, That his Honor the Mayor consider the possibility of having the Health Department sponsor a W. P. A. project which will be responsible for exterminating the rodent life in the mid-town area.

Passed under suspension of the rule.

FINANCIAL ORDERS.

President KERRIGAN called up, under unfinished business, Nos. 1, 2 and 3 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 Public Works Department, Bridge Service, H. Relief Projects, \$310, to the appropriation for Auditing Department, H. Relief Projects, \$310.

On October 24, 1938, the foregoing order was read once and passed, yeas 20, nays 0.

2. Ordered, That in accordance with the provisions of chapter 53 of the Acts of 1938 a loan in the sum of \$1,100,000, outside the debt limit, be, and hereby is, authorized, and that the City Treasurer, upon request of the Mayor, be authorized to issue bonds or notes therefor, and that the said sum of \$1,100,000 be, and hereby is, appropriated, to be expended in accordance with the provisions of chapter 53 of the Acts of 1938 for the following purposes:

| | |
|------------------------------|----------------|
| HOSPITAL DEPARTMENT. | |
| Sanatorium Division. | |
| H. Relief Projects..... | \$15,000 00 |
| <hr/> | |
| PARK DEPARTMENT. | |
| H. Relief Projects..... | \$35,000 00 |
| <hr/> | |
| PUBLIC WELFARE DEPARTMENT. | |
| Central Office. | |
| F. Special Items..... | \$975,000 00 |
| H. Relief Projects..... | 30,000 00 |
| | <hr/> |
| | \$1,005,000 00 |
| | <hr/> |
| SOLDIERS' RELIEF DEPARTMENT. | |
| Special Items..... | \$45,000 00 |
| | <hr/> |
| Total..... | \$1,100,000 00 |
| | <hr/> |

On October 31, 1938, the foregoing order was read once and passed, yeas 19, nays 0.

3. Ordered, That in accordance with the provisions of chapter 174 of the Acts of 1928, the City Treasurer, with the approval of the Mayor, be authorized to pay over to the Board of Commissioners of Sinking Funds of the City of Boston the following unexpended balances of loans issued outside the limit of indebtedness which are no longer required for the purposes specified in the authorization of such loans:

| | |
|---|-------------|
| Hospital Department, Children's Pavilion..... | \$465 44 |
| Chelsea North Bridge, Repair and Strengthening..... | \$588 96 |
| East Boston Ferry, Two Additional Boats and other Permanent Improvements..... | \$19,064 81 |
| Centre Street..... | \$34,869 20 |

On October 31, 1938, the foregoing order was read once and passed, yeas 19, nays 0.

The orders were given their second reading and passage, yeas 19, nays 0.

INFORMATION FROM BOSTON ELEVATED TRUSTEES.

Coun. WILSON offered the following:
 Ordered, That his Honor the Mayor be requested to advise the City Council, after inquiry from the Board of Trustees of the Boston Elevated Railway Company:

1. The amount annually charged off for depreciation and/or obsolescence each year since public control of the road, and also the amount each year during the ten years preceding public control.

2. The annual amount included in the above which has been charged off either for depreciation or obsolescence relating to the Atlantic avenue elevated structure.

3. The date on which the service was discontinued on the Atlantic avenue elevated structure.

Coun. WILSON—Mr. President, I think we all realize that the chief methods by which deficits are created, whether in the make-up of deficits from taxation or from evasion of taxation, is through the easy means of "depreciation," or charging off for "obsolescence." I think there was much to be said in favor of the remarks of the councilor from Ward 12 (Coun. Taylor) when he pointed out that the items of depreciation and obsolescence, as treated by the trustees of the Elevated, vary very much between the days when the Elevated paid its own bills and the modern days when the deficit is made up by the taxpayers of the City of Boston. There is a duty on the trustees to look into this matter. I think the only item available for public consumption is the item of depreciation from year to year on the books of the Boston Elevated, in comparison with those days when we had rattletrap rolling stock on the streets of Boston and the present

days, when the rolling stock of the Elevated is as good as any to be found in the United States today. I have in mind also in the inquiries I have made here, the possible depreciation and obsolescence charged in these two periods in connection with the Atlantic avenue structure. I realize, of course, that it may be difficult to obtain full information. I think there will undoubtedly be found on the books of the Elevated the complete depreciation and obsolescence charge item on the Atlantic avenue structure, although if the trustees were to be perfectly fair about it there would be the figure for junk alone, and that would not appear on the books of the Elevated. I appreciate further the fact that taxation must make up, under the law, the deficit of the Boston Elevated, but I also bear in mind the fact that, so far as rapid transit facilities are concerned, the great expenditure of money for rapid transit in the City of Boston is primarily for the benefit of patrons outside of Boston, and for that reason, if there is to be a revision of fares, I believe that a zoning plan for communities outside of the City of Boston should be considered. In other words, instead of trying to raise these short-trip fares from five cents to ten cents in the City of Boston, to make up a part of the deficit, the whole system should be zoned, so that a rider to and from an outside community might conceivably, instead of paying a ten-cent fare to a certain distant point, perhaps pay even thirty cents. I am of the opinion that if there is to be a revision of the fares of the Elevated Railway Company, in fairness to the citizens of Boston, who pay 60 per cent of the deficit, a part of that deficit should be met outside of the city by rezoning the fares in the outside areas.

The order was passed under suspension of the rule.

CORRECTION IN MINUTES OF OCTOBER 17, 1938.

Coun. WILSON offered the following:

Ordered, That a correction be made in the City Council Minutes of October 17, 1938, page 322, line 86, by striking out the entire sentence beginning with: "When the matter was before the Legislature, etc.," and substituting the correct version of the remarks actually made, as follows:

"When the matter was before the Legislature, one of the sales talks given was that on any further slum clearance projects, the real estate tax to be imposed would be a tax fairly computed on the assessed value of the property prior to the construction of the housing project. We now find that the act was so written that the so-called service charge is not to be greater than the real estate tax which would have been assessed on the old value of the property."

Passed under suspension of the rule.

PROTEST AGAINST GERMAN ATROCITIES.

Coun. TAYLOR and ROSENBERG offered the following:

Resolved, That the Boston City Council memorialize President Roosevelt and Secretary of State Hull to file protests with the German Government against the barbaric, inhuman and monstrous atrocities perpetrated against the Jewish and Catholic people in Nazi Germany.

Furthermore, That President Roosevelt be requested to sever at once all diplomatic and trade relations with the German Government until these inhuman crimes cease.

Coun. TAYLOR—Mr. President, those who have read the newspapers in the last few days must have felt their blood running cold when they read about the terrible and vicious actions of the fanatic who is leading the German Government eventually to ruin, a government which is going back to the barbarous and medieval ages of long ago. To see these helpless people being threatened in their lives and deprived of their property and all the advantages of a civilized country must cause indignation to anyone who has real blood flowing in his veins. How long is this condition going to continue? How long are the people of such a country going to refrain from doing something that will assist civilization, if civilization is to endure? President Roosevelt, speaking not so long ago, said that we must quarantine aggressor nations. I say now that

this is a great opportunity for our President to be the leader throughout the entire world in holding the different democratic countries together in stamping their disapproval on such barbaric actions. I say that the President of the United States and the Secretary of State now have an opportunity to take leadership in this matter throughout the entire world. It is a great opportunity to do something to help civilization. Our President, in the statements he has made from time to time showing his sympathy towards oppressed people, now has the chance to take the leadership in this respect. I am not an advocate of war. I always want peace. But we have a great and effective weapon. I believe this country should follow the precedent of Theodore Roosevelt thirty years ago when he told tsarist Russia the very same thing, that we would sever relations with a country that was guilty of such actions. I say that the President and the Secretary of State can achieve the desired object by severing relations, discontinuing trade relations, with a country that is guilty of such conduct. We should not buy from or sell to them a nickel's worth of goods. We should all remember that after they are through with oppression of the Jewish people they will go after the others. They must maintain trade relations with the other countries in order to obtain the income that is necessary for their economic life. I know that the entire body is in favor of this order and that the people of this city will back up each and every one of their councilors in a request to our President and to our Secretary of State to send this message across the sea.

The order was referred to the Committee on Rules.

INVESTIGATION OF BOSTON ELEVATED.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to use every means at his command and, if necessary, to file a petition before the Legislature, to bring about an investigation of the control, operation and expenditures of the Boston Elevated Railway Company, especially in so far as it affects the citizens of Boston.

Passed under suspension of the rule.

REDUCTION IN W. P. A. QUOTA IN BOSTON.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to prevail upon President Roosevelt and officials of the Works Progress Administration at Washington to defer action on any reduction in the present W. P. A. quota in Boston.

Coun. CAREY—Mr. President, on Thursday last, I sent the following telegram to our President:

"November 10, 1938.

To Hon. Franklin D. Roosevelt, President, White House, Washington, D. C.

Announcement has been made in the press of an intention on the part of Works Progress Administration officials in Washington to reduce the quota in Massachusetts. I urge you to intervene with the W. P. A. officials in an effort to prevent any reduction at this time. Due to the severe weather that is fast approaching, together with demands made on the finances of taxpayers and communities resulting from the ravages of the recent hurricane, any further reduction at this time would be ill-advised. As a member of the Boston City Council I will introduce an order at next week's meeting urging Mayor Tohin to prevail upon the W. P. A. officials to make no reduction at this time, and will be grateful indeed for your kind cooperation.

WILLIAM A. CAREY,
City Councilor."

I have just received this reply:

"The White House, Washington,
November 12, 1938.

My dear Mr. Carey,—This will acknowledge the receipt of your telegram of November 10th to the President. The matter is being taken up with the Administrator of the Works Progress Administration.

Very sincerely yours,
M. H. MCINTYRE,
Secretary to the President."

Mr. President, with the coming of the winter months I feel that no time should be lost. I have no doubt, if the proper steps are taken, that the President and officials of the Works Progress Administration at Washington will be prevailed upon to take action so that there will be no reduction in the present W. P. A. program in Boston. I feel sure that every effort will be made toward that end, and that it will be successful. Certainly, no attempt should be made to cut down the W. P. A. quota at this time. I trust, therefore, that the order will be passed.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON RULES.

Coun. MURRAY, for the Committee on Rules' submitted the following:

Report on resolve (referred October 24) that City Council protests the practice of the immigration authorities in classifying persons coming from the Irish Free State as British subjects—that same ought to pass.

Report accepted; said resolve passed.

CLEANING OF DORCHESTER STREETS.

Coun. ROSENBERG offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to inaugurate a campaign to clean up the streets in Dorchester, and to provide some regular program for the cleaning of the streets.

Coun. ROSENBERG—Mr. President, numerous complaints of the condition of the streets in Dorchester have been received by me, as well, I presume, by other members of the Council. Certainly, the cleaning of our streets is an important matter, and I believe some plan should be devised by the Sanitary Division of the Public Works Department for the regular cleaning of the streets throughout our district.

The order was passed under suspension of the rule.

ADDITIONAL MEN FOR POLICE FORCE.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Police Commissioner with the view of having additional men appointed to the present force.

Coun. ROSENBERG—Mr. President, I appreciate the fact that we are probably faced with an increase in the tax rate for 1939. But I think that if there is one thing that is important it is a police force sufficient to properly look out for the public health and public safety. We find throughout the city a crime wave, with homes being broken into in various sections. That is particularly so in Dorchester. I believe the present force and the Commissioner are doing everything possible for the protection and safety of the residents of our city, but I believe, under the circumstances, a larger force is required. I feel that a proper survey should be made, that the Mayor and the Police Commissioner should get together and, if possible, that a program should be prepared by which men may be added to the force patrolling the streets of Boston so that Boston may not be a haven for the thugs now infesting our city. I don't know whether the same conditions are prevalent in other cities, but they are prevalent here, and if anything can be done to prevent the present crime wave it should be done, in the interest of the citizens of Boston.

The order was passed under suspension of the rule.

RESURFACING OF WARD 14 STREETS.

Coun. ROSENBERG offered the following:

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth pavement Greenock street, Dorchester, Ward 14, under W. P. A. type of construction.

Ordered, That the Commissioner of Public Works, through his Honor the Mayor, be requested to resurface with smooth pavement Greenheys street, Ward 14, under W. P. A. type of construction.

Severally passed under suspension of the rule.

STATISTICS RE ELEVATED FARES.

Coun. ROSENBERG offered the following:
 Ordered, That the trustees of the Boston Elevated be requested, through his Honor the Mayor, to furnish the members of the Boston City Council with the following statistics: The number of ten-cent fares and five-cent fares collected annually by the Boston Elevated during the past five years.
 Passed under suspension of the rule.

ACCEPTANCE OF STURGES ROAD.

Coun. LYONS offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out Sturges road to Bellevue street, Ward 20, as a public highway.
 Passed under suspension of the rule.

REPAIRS TO ROBERT STREET BRIDGE, ROSLINDALE.

Coun. LYONS offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take up with the officials of the New York, New Haven and Hartford Railroad Company the matter of making immediate repairs to the Robert Street Bridge in Roslindale.
 Passed under suspension of the rule.

PARKING FACILITIES, ROSLINDALE.

Coun. LYONS offered the following:
 Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a survey of traffic conditions in the Roslindale square section with a view to providing proper parking facilities for persons who wish to shop in that area.
 Passed under suspension of the rule.

ACCEPTANCE OF WARD 20 STREETS.

Coun. LYONS offered the following:
 Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the following streets in Ward 20 as public highways, under the W. P. A. plan of construction: Dunwell street, from Baker to Helden streets; Emmonsdale road; Centre terrace.
 Passed under suspension of the rule.

RECONSTRUCTION OF WARD 13 STREETS.

Coun. HUTCHINSON offered the following:
 Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to reconstruct the following streets in Ward 13 under the W. P. A. plan of construction: Danube street, Dacia street.
 Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. IRWIN, 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.

RECESS.

The Council voted, on motion of Coun. MURRAY, at 4.03 p. m. to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 4.28 p. m.

SIDEWALK ON McBRIDE STREET, WARD 11.

Coun. CAREY, for Coun. Englert, offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along McBride street, both sides, entire length, Ward 11, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

REMOVAL OF RUBBISH AND GARBAGE, WARD 12.

Coun. TAYLOR offered the following:
 Ordered, That the Public Works Commissioner be instructed, by his Honor the Mayor, to remedy the deplorable condition that exists in the streets of Ward 12 caused by failure to remove rubbish and garbage at regular and reasonable intervals.

Passed under suspension of the rule.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of the Figure Skating Club for child to appear at Boston Arena November 10—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) accepting Federal grant for Public Works Project in financing construction of addition and alterations to Boston Trade School—that same ought to pass.

Report accepted; order passed, yeas 19, nays 0.

3. Report on message of Mayor and order (referred today) appropriating sum of \$23,000 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.

4. Report on message of Mayor and order (referred today) amending Compensation and Classification Plan for the Officers and Employees of Suffolk County—recommending reference to the Committee on Prisons.

Report accepted; said reference ordered.

5. Report on message of Mayor and order (referred today) transferring \$20,000 from appropriation for Sales of City Property to appropriation for Poultry Industry, Establishment of—recommending reference to Committee on Prisons.

Report accepted; said reference ordered.

6. Report on message of Mayor and order (referred today) accepting Federal grant, Public Works Project, in financing construction of two bridges and alterations to an existing bridge and approaches—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

ACCEPTANCE OF JEFFERS STREET, ROSLINDALE.

Coun. NORTON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out and accept Jeffers street, Roslindale, from Alpheus to Bateau street.

Passed under suspension of the rule.

ACCEPTANCE OF WARD 18 STREETS.

Coun. NORTON offered the following:

Ordered, That the Street Commissioners through his Honor the Mayor, be requested to accept and lay out Chester street, Readville, Ward 18.

Ordered, That the Street Commissioners, through his Honor the Mayor, be requested to accept and lay out Irving street, Readville, Boston, Ward 18.

Severally passed under suspension of the rule.

—————
CANCER HOSPITAL FOR BOSTON.

Coun. GALVIN, IRWIN and MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to use Boston's share of the money from the taxes on the Green Estate for the establishment of a Cancer Hospital in Boston.

Passed under suspension of the rule.

CONVENIENCE STATION, CHARLESBANK PARK.

Coun. FITZGERALD offered the following:

Ordered, That the Board of Park Commissioners be requested, through his Honor the Mayor, to erect a Public Convenience Station for women and children in the Charlesbank Park, same to be charged to the income of the George F. Parkman Fund.

Passed under suspension of the rule.

—————
Adjourned, on motion of Coun. CAREY, at 4.45 p. m., to meet on Monday, November 21, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 21, 1938.

Regular meeting of City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Harris.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Coal: Ralph E. Hewitt, 6 Arlington street, Cambridge, Mass.; Nicholas Ciaramella, 50 Burrell street, Roxbury, Mass.; Harold Dinsfriend, 406 Blue Hill avenue, Roxbury, Mass.; Luigi Tempesta, 52 Sudan street, Dorchester, Mass.

Severally laid over a week under the law.

"STOP" SIGNS, MILTON STREET AND GRANITE AVENUE.

The following was received:

City of Boston,
Office of the Mayor, November 21, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of October 24, 1938, concerning the installation of "stop" signs at the intersection of Milton street and Granite avenue, Ward 16.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, November 16, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated October 24, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install 'stop' signs at the intersection of Milton street and Granite avenue, Ward 16."

We are conversant with traffic conditions in this intersection and believe that the ultimate solution of the serious potential accident hazard at this location is the installation of an automatic traffic signal.

Our experience with "stop" signs in locations comparable to this one has been very unsatisfactory. We have noted that in every case where these signs have been installed motorists who habitually use the main street become aware of the fact that motorists entering from the side street are supposed to stop before proceeding through the intersection and consequently drive past the intersection at higher rates of speed than obtained previous to the erection of the sign. This practice has invariably resulted in increasing the number of accidents occurring at these intersections. A case in point is the intersection of Adams street and Ashmont street, Dorchester, where we erected "stop" signs in compliance with an executive order during 1937. The accident frequency at this intersection has almost doubled since the signs were installed.

It is our opinion therefore that "stop" signs should not be erected in the intersection of Granite avenue and Milton street.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

SUBURBAN ROUTES, ELEVATED BUSES.

The following was received:

City of Boston,
Office of the Mayor, November 21, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway concerning your order of

October 17, 1938, relative to the advisability of running buses over convenient routes in suburban areas.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
November 14, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Upon the receipt of your letter of October 20 with order of the City Council requesting that consideration be given to "the advisability of running buses over convenient routes in suburban areas," we got in touch with Councilor Norton, who introduced the order, and ascertained that what is suggested is diversion of the Mattapan-Cleary square-Readville bus service to operate through the Fairmount and Corriganville section of Hyde Park.

This would increase the mileage and running time and cause inconvenience to patrons of the more direct service now operated. Therefore it does not seem to us practicable to make the change suggested.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

PROPERTY AT 1218 AND 1220 WASHINGTON STREET.

The following was received:

City of Boston,
Office of the Mayor, November 21, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Building Commissioner relative to your order of October 17, 1938, concerning the property located at 1218 and 1220 Washington street, Ward 3.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Building Department, November 8, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Subject: City Council Order of October 17, 1938, 1218 and 1220 Washington street, Ward 3.

Dear Sir,—Supplementing my letter to you dated October 26, 1938, concerning the above-mentioned subject, which in part stated that the Building Department might find it necessary to enter into contract to raze the building on the failure of he owners to do so before October 27, please be informed that this department entered into contract with the New England Building Wrecking Company to raze that portion of the exterior wall on the Laocia street end of building which was in danger of toppling into the street and to perform the necessary shoring and securing of the remaining walls. Said work has now been satisfactorily performed and the barricades closing the street have been removed.

Respectfully yours,
JAMES H. MOONEY,
Building Commissioner.

Placed on file.

BILLBOARDS AT GREEN AND AMORY STREETS.

The following was received:

City of Boston,
Office of the Mayor, November 21, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Public Works Commissioner relative to your order of October 31, 1938, concerning the billboards at the junction of Green and Amory streets, Ward 11.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
November 10, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received draft of the following order that was passed in the City Council on October 31, 1938:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take such steps as may be necessary to remove the billboards at the junction of Green and Amory streets, Ward 11; to paint with white stripes the bridge pillars at this location, and to grade the land within the railroad fence for the purpose of providing a clear view of this intersection in order that hazards to automobile drivers and pedestrians may be eliminated."

This intersection at the present time is dangerous both for pedestrians and motorists, besides tending to slow up the movement of traffic.

To remedy the existing conditions, I recommend that a taking of land be made at the northwest corner on land owned by the Boston and Providence Railroad, so as to make a widening on the north side of Green street and the west side of Amory street. Such a widening would eliminate the present blind corner, remove the billboards, and accomplish the results as sought by the passage of this order.

This land is assessed at 30 cents a square foot and it would be necessary to acquire approximately 2,500 square feet, to provide for this proposed widening.

The yearly rental received by the railroad for the billboards would probably have to be taken into consideration in awarding damages for the acquiring of the land involved.

The taking of land for street widenings is under the jurisdiction of the Board of Street Commissioners. In view of this, I have written to Chairman Donoghue and requested that the board give consideration to my proposal.

I further recommend that white stripes be painted on the westerly bridge column, so as to accentuate it, thereby making it more visible to motorists. The striping of this column is for the protection of motorists driving down Green street in an easterly direction and for motorists taking a right turn into Green street from Woolsey square. Nothing will be gained by striping the rest of the columns, as they do not present a hazard to motorists.

As the painting of this column is under the jurisdiction of the Traffic Department, I have written to Commissioner Hickey and proposed that white stripes be painted on the column, in accordance with my recommendation.

Respectfully yours,

GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

TAX TITLE LOAN.

The following was received:

City of Boston,
Office of the Mayor, November 21, 1938.

To the City Council.

Gentlemen,—I submit herewith an order providing for loan of \$1,500,000 to be made with the Commonwealth, under the provisions of chapter 57 of the Acts of 1938, against tax titles now in the possession of the city. The proceeds of this loan will be used in connection with the payment of a temporary revenue loan in the amount of \$2,000,000, which will become due on December 27, 1938. I respectfully recommend adoption of this order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

Ordered, That under the provisions of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, the City Treasurer be authorized to obtain the approval of the Emergency Finance Board to the issuance of \$1,500,000 in notes, bonds or certificates of indebtedness of the city; said notes, bonds or certificates to be sold at their face value to the Commonwealth, and the proceeds be, and hereby are, appropriated for the purpose of meeting outstanding revenue loans.

Referred to Executive Committee.

AMENDMENT OF COMPENSATION AND CLASSIFICATION PLANS, SUFFOLK COUNTY.

The following were received:

City of Boston,
Office of the Mayor, November 21, 1938.

To the City Council.

Gentlemen,—I transmit herewith for consideration by your Honorable Body the attached proposal by the Budget Commissioner to amend the Compensation and Classification plans for the Officers and Employees of Suffolk County.

Respectfully,

MAURICE J. TOBIN, Mayor.

City of Boston,

Budget Department, November 21, 1938.

To the Mayor and City Council.

Honorable dear Sirs,—Rule 3, "Classification of New Positions," of the "Compensation and Classification Plans for the Officers and Employees of Suffolk County," provides that, "Whenever a new position is established or the duties of a position are so changed that, in effect, the whole position, as described in the class specifications for the class to which it was originally allocated, no longer exists, but, in its place, there is created a new position of a different class, the appointing authority shall forthwith report this fact to the Budget Commissioner with a full statement of the circumstances and a description of the duties as changed. The Budget Commissioner shall, subject to the approval of the City Council and the Mayor and after an investigation of the actual and proposed duties and responsibilities, classify or reclassify the position by allocating it to its appropriate class in accordance with the classification plan then in effect; if necessary a new class shall be established to provide for the new position. The Budget Commissioner may likewise, from time to time, make investigations of any or all positions in the service and propose, to the City Council, changes in classification whenever the facts are considered to warrant such action."

In accordance with this rule, I inform your Honor and the City Council it is proposed to abolish the following classification:

Title of Class:

Chief Stenographer and Indictment Clerk.

Duties:

Under general direction, to act as stenographer for the Grand Jury; to assign and list Grand Jury cases; to draw all indictments resulting from Grand Jury action; to keep necessary records; to supervise and assign the clerical and stenographic work of the District Attorney's office; and to perform other related work.

Range of Compensation:

Annual \$2,600—\$2,900—\$3,200—\$3,500, and in its place substitute the following classification:

Title of Class:

Indictment Clerk.

Duties:

Under general direction, to assign and list Grand Jury cases; to draw all indictments resulting from Grand Jury action; to keep necessary records; to supervise and assign the clerical work of the District Attorney's office and to perform other related work.

Range of Compensation:

Annual \$2,500—\$2,600—\$2,700—\$2,800—\$2,900—\$3,000.

Very truly yours,

FRANCIS X. LANG,
Budget Commissioner.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as adopted by the City Council on April 13, 1931, and approved by the Mayor on April 15, 1931, be, and the same hereby are, amended, by abolishing the following classification:

Title of Class:

Chief Stenographer and Indictment Clerk.

Duties:

Under general direction, to act as stenographer for the Grand Jury; to assign and list Grand Jury cases; to draw all indictments resulting from Grand Jury action; to keep necessary records; to supervise and assign the clerical and stenographic work of the District Attorney's office, and to perform other related work.

Range of Compensation:

Annual \$2,600-\$2,900-\$3,200-\$3,500, and substituting therefor the following classification:

Title of Class:

Indictment Clerk.

Duties:

Under general direction, to assign and list Grand Jury cases; to draw all indictments resulting from Grand Jury action; to keep necessary records; to supervise and assign the clerical work of the District Attorney's office, and to perform other related work.

Range of Compensation:

Annual \$2,500-\$2,600-\$2,700-\$2,800-\$2,900-\$3,000.

—
City of Boston,

Office of the Mayor, November 21, 1938.

To the City Council.

Gentlemen,—I transmit herewith for consideration by your Honorable Body the attached proposal by the Budget Commissioner to amend the Compensation and Classification Plans for the Officers and Employees of Suffolk County.

Respectfully,

MAURICE J. TOBIN, Mayor.

—
City of Boston,

Budget Department, November 21, 1938.

To the Mayor and City Council.

Honorable dear Sirs,—Rule 3, "Classification of New Positions," of the "Compensation and Classification Plans for the Officers and Employees of Suffolk County," provides that, "Whenever a new position is established or the duties of a position are so changed that, in effect, the whole position, as described in the class specifications for the class to which it was originally allocated, no longer exists, but, in its place, there is created a new position of a different class, the appointing authority shall forthwith report this fact to the Budget Commissioner with a full statement of the circumstances and a description of the duties as changed. The Budget Commissioner shall, subject to the approval of the City Council and the Mayor and after an investigation of the actual and proposed duties and responsibilities, classify or reclassify the position by allocating it to its appropriate class in accordance with the classification plan then in effect; if necessary a new class shall be established to provide for the new position. The Budget Commissioner may likewise, from time to time, make investigations of any or all positions in the service and propose, to the City Council, changes in classification whenever the facts are considered to warrant such action."

In accordance with this rule, I inform your Honor and the City Council it is proposed to establish the following new classification:

Title of Class:

Officer-Steward.

Duties:

Under general supervision, to have charge of and be responsible for, the requisition, purchase, receipt and issuance of all food supplies and kitchen equipment, and all other supplies and equipment, at the House of Correction; to supervise employees and inmates in the preparation and serving of food; to prepare menus; to keep records and accounts; and to perform other related work.

Range of Compensation:

Annual \$2,100-\$2,200-\$2,300-\$2,400-\$2,500-\$2,600.

Very truly yours,

FRANCIS X. LANG, Budget Commissioner.

Ordered, That the Compensation and Classification Plans for the Officers and Employees of Suffolk County, as adopted by the City Council on April 13, 1931, and approved by the Mayor on April 15, 1931, be, and the same hereby are, amended, by establishing the following classification:

Title of Class:

Officer-Steward.

Duties:

Under general supervision, to have charge of and be responsible for, the requisition, purchase, receipt, and issuance of all food supplies and kitchen equipment, and all other supplies and equipment, at the House of Correction; to supervise employees and inmates in the preparation and serving of food; to prepare menus; to keep records and accounts; and to perform other related work.

Range of Compensation:

Annual \$2,100-\$2,200-\$2,300-\$2,400-\$2,500-\$2,600.

Severally referred to Executive Committee.

PROPERTY AT 202-206 BROADWAY.

The following was received:

City of Boston,

Office of the Mayor, November 21, 1938.

To the City Council.

Gentlemen,—I am in receipt of a communication from the Custodian of Real Estate for the City of Boston, in which he advises me that certain property located at 202-206 Broadway is desired by the Fire Department. In view of the fact that the custodian states that sale of this property would not bring anywhere near its true value, and because the said property adjoins the property of the Fire Department, now occupied by Engine 26, I am in favor of the transfer of this property to the Fire Department.

Inclosed are copies of communications from the Custodian of Real Estate, and from the Fire Commissioner.

I respectfully request passage of the accompanying order by your Honorable Body.

Respectfully,

MAURICE J. TOBIN, Mayor.

—
City of Boston,

Fire Department, November 18, 1938.

Mr. Daniel Driscoll, Real Estate Division, Assessing Department.

Dear Mr. Driscoll,—On behalf of the Boston Fire Department, I wish to apply for title to the property at 202-206 Broadway, adjoining Engine Company 26. The building on this property has been condemned and it is my hope that under a W. P. A. project I may be able to salvage it and make it available for use by the Fire Department. If this is not found to be possible, I shall raze the structure, providing a yard and additional windows for the building of Engine Company 26, thus removing an unsightly piece of property in one of our downtown business centers.

Very truly yours,

WM. ARTHUR REILLY,
Fire Commissioner.

Ordered, That the land, with buildings thereon, on the northeasterly side of Broadway, numbered 202 in the numbering of said Broadway, between land now or formerly of Hastings and land of the City of Boston, containing 1,250 square feet, more or less, and now in the care, custody, management and control of the Custodian of Tax Title Property be, and hereby is, transferred to the care, possession and control of the Fire Commissioner.

Referred to Executive Committee.

APPROVAL OF \$1,100,000 LOAN BY EMERGENCY FINANCE BOARD.

Notice was received from the Emergency Finance Board of vote passed November 18 approving borrowing by City of Boston of \$1,100,000 for Public Welfare and II projects, under authority of chapter 58 of Acts of 1938, term of loan to be fixed at not more than ten years.

Placed on file.

REPORT OF COMMITTEE ON FEES AND LICENSES.

The following was received:

City of Boston,
Office of the Mayor, November 21, 1938.
To the City Council.

Gentlemen,—I am submitting herewith for your consideration and action, report of the Committee on Fees and Licenses, which committee was appointed by me during the course of the year.

As you will note, the schedule of fees takes two parts. First, fees which are established by the department head involved, with the approval of the Mayor; and, second, fees which are established by the City Council, with the approval of the Mayor. Therefore, in the schedule attached, your body will be required to pass upon only the second part of the schedule.

The Committee on Fees has given considerable time to the study which is herewith presented. The results of this study, if approved by your body, will provide the city with a new basis for fees of all types, and will also bring into the city additional revenue, now so urgently needed. No comprehensive revision of fees existing in the city service has been done for a great number of years, and I believe the adoption of new schedules will establish fair and reasonable rates consistent with current conditions.

It is advisable to establish the new rates as of the first of next year. May I therefore request that your Honorable Body give this matter early consideration and that action be taken, if possible, not later than thirty days from this date.

Respectfully,
MAURICE J. TOBIN, Mayor.

REPORT OF REVENUE SURVEY COMMITTEE.

An impartial survey of the governmental revenue systems of the United States clearly indicates that of the three levels of government, Federal, State and Local, the latter level occupies the least desirable position in the total revenue system. The Federal Government, with its larger jurisdictional powers and wider taxable area, naturally holds the most advantageous fiscal position of all levels of government. State governments hold the next most enviable position in the total fiscal structure. While their taxable areas and jurisdictional powers are more limited than the Federal Government, nevertheless, these areas and powers are far wider than those available to the local units. Municipalities, because they are corporate rather than sovereign bodies, are wholly dependent upon state legislatures for their taxing and revenue powers. The only considerable revenue source available to local units of government is the general property tax, which falls in the main on real estate. In the last decade, services rendered by local units have expanded greatly in scope, with the natural result that the cost of local government has increased materially. Lacking other means of financing, these added costs have, for the most part, been imposed upon the owners of property. In view of the general decline of real estate values and the reduction of the return from rentals, tax bills which might have been borne without much hardship ten years ago clearly are excessive today.

In some circles, a sharp reduction in municipal expenditures is advocated as the only effective remedy to alleviate the present heavy direct tax burden. The proponents of this line of action overlook, however, the fact that the present heavy demand for public services has been accelerated in no small measure by the changes which have occurred in recent years in social concepts and philosophies. If every one is entitled to a free public school education, the best of medical and hospital care, a guarantee against suffering and want during old age, sickness and unemployment, a well-cleaned pavement upon which to drive his automobile and firemen and policemen always available to protect his property; if these services are to be granted, they must be paid for. The most important single problem facing local governments in the United States today is the necessity of obtaining sufficient revenue from appropriate sources to adequately support the necessary activities they now carry on or are being asked to perform. This is not a question of budget balancing, of making outgo equal income. Instead it is a problem of maintaining a standard of governmental services which is necessary for the welfare of the people.

It is becoming more and more apparent that the property tax has reached confiscatory levels. Local revenue systems of the future, therefore, should be developed with the definite purpose in mind of affording positive measures of relief to the owners of real property. One line of approach to the accomplishment of this worth-while end is the utilization by municipalities, to the fullest possible degree consistent with service rendered, of sources of revenue which are now available. The miscellaneous revenues received by municipalities in the form of fees, fines and service charges bear no proper relation to services rendered and privileges granted and are insignificant and wholly inadequate when compared with receipts from the general property tax. This latter fact may be better appreciated after an analysis of income available for maintenance purposes is made. The following table presents such an analysis for the City of Boston in the year 1937.

ANALYSIS OF INCOME AVAILABLE FOR MAINTENANCE PURPOSES—1937.

| | |
|--|-----------------|
| Taxes: | |
| Current years..... | \$44,896,681 76 |
| Prior years..... | 9,365,452 59 |
| Distributions by Commonwealth.. | 10,776,206 53 |
| Federal Welfare Grants..... | 1,857,651 36 |
| Liquor Licenses..... | 1,474,822 85 |
| Tax Title Loans for Maintenance Purposes..... | 1,014,500 00 |
| Licenses, Fees, Permits, etc..... | 746,907 04 |
| Interest Penalties..... | 681,770 66 |
| Trust Fund Income Used for Maintenance Purposes..... | 254,290 16 |
| Court Fines..... | 235,705 32 |
| Board and Care of Patients, etc.... | 219,960 61 |
| Welfare Collections from Other Municipalities..... | 212,081 47 |
| Rents..... | 147,689 40 |
| Tuition, etc. (Schools)..... | 125,683 12 |
| Miscellaneous..... | 80,450 48 |
| Federal Educational Grants..... | 71,209 75 |
| Sales of Materials..... | 49,978 96 |
| Cash Discounts..... | 48,398 99 |
| Sidewalk Assessments..... | 33,653 44 |
| Ferry Tolls..... | 28,737 62 |
| Cafeteria (School) Sales..... | 25,683 16 |
| Collections of Commercial Waste.. | 19,540 40 |
| Aid Refunded by Welfare Recipients..... | 16,409 94 |
| | <hr/> |
| | \$72,383,465 61 |

As might be expected, receipts from taxes lead all the rest of the revenue sources in the foregoing table. Seventy-five per cent of the total revenue available for maintenance purposes in the City of Boston during the year 1937 was received from this source. In sharp contrast are the returns from sources which may be said to be under the more or less direct control of departmental officials. The total return from the half-dozen sources which may be said to fall within this category is, roughly, a million and three quarters dollars or approximately 2½ per cent of the grand total.

An examination of the revenues received from these sources reflects the fact that the present schedule of fees and charges has been in effect for many years and few if any changes in the rates or bases have been made since their original establishment. Scant consideration has been given to the fact that the cost to the city of furnishing the services or making available the privileges represented by the issuance of licenses, permits, etc., has greatly expanded in recent years. It would seem expedient and desirable, therefore, that a revision of departmental charges should be made wherever such revision can be defended on the ground of reasonableness.

Departmental revenues received in the City of Boston from the collection of fees for permits and licenses, fines, service charges, etc., may, from the viewpoint of authority, be divided into two classes: First, those revenues which are authorized by specific legislative acts; and second, those which are fixed by department heads under general legislative sanction. In the first class, the unit charges in Boston are generally the same as those which prevail in other municipalities throughout the state. In the second class, the unit charges are more or less peculiar to Boston,

since they are based largely on the opinions and beliefs of department heads at the time the charges were established. In the main, this latter class of charges has been set up under the provisions of chapter 571 of the Acts of 1910, which authorized the establishment by department officials, with the approval of the Mayor, of "reasonable fees or charges for the issuance of permits and licenses by said departments." Since the authority granted under the provisions of this act is general in character, it would appear permissible for department heads at this time to revise any fee or charge previously established under the authority of this legislation provided the revisions proposed may be supported on the grounds of reasonableness.

In 1931 the Legislature, through the enactment of chapter 297, authorized the City Council, with the approval of the Mayor, "to fix the fees for licenses or permits for which a fee is collected at the date of the passage of this act under authority of statutes then existing." Under the language of this statute, the City Council is authorized to re-establish fees which were originally established by statute. It is evident, therefore, that in the City of Boston a program embodying the revision of departmental fees and charges must embrace two definite lines of action. Where fees and charges have been established by department heads, under authority of general legislation of the type of chapter 571 of the Acts of 1910, the responsibility for initiating changes and revisions clearly rests with department officials. Where fees are now being collected under specific statutory authority, responsibility for revisions and changes rests with the City Council.

In view of this situation, the committee appointed to survey the existing schedule of fees and departmental charges submits its recommendations in two groups or divisions; the first, including recommendations upon which department heads are required to take action; and second, recommendations for consideration and action by the City Council. The recommendations of the committee are intended to be effective wherever feasible as of January 1, 1939.

The committee has given consideration to the desirability of establishing a central bureau of permits for the receiving, handling and final disposition of applications for permits and licenses which are now issued by various departments and divisions of the city government. It has been claimed that the present system of decentralized jurisdiction results not only in confusion and inconvenience to the public, but in much duplication of administrative effort, as well as hampering logical revisions in schedules. Because of the apparent theoretical advantage of a central permit bureau, the committee has deemed it desirable to make an extensive study of the practicability of this proposal. Inquiries have been addressed to all of the cities in the United States of more than 300,000 population for the purpose of determining the practices in these communities. Strange as it may seem, centralization of permit activities has not been adopted in these cities. From responses received, it is evident that permits and licenses generally are issued pursuant to the regulatory provisions of some statute or ordinance, and require investigation and action by officials of various city departments. The taking of applications for the various permits and licenses involves in most cases considerable technical information. Under the present decentralized system, clerks responsible in the various departments for this important feature of the work are qualified by training and experience to obtain from applicants the necessary information. A clerk in the central bureau, however, handling applications covering all forms of permits and licenses, could not be expected to possess the technical qualifications which department specialists under the present system have acquired. Any defects in the preparation of applications would delay the issuance of the license or permit and would occasion inconvenience to the applicant by requiring additional visits to City Hall. Since under existing statutes the responsibility for issuing permits and licenses is vested in specific departments, it would be necessary, after an application was received in a central bureau, to forward the same to the particular department involved. After action in the department, the application would be returned to the central bureau with a report of the action recommended. Much time would be consumed in this

process and it would be necessary in practically every instance for the applicant to appear at the central office at least twice. Under the present system, applicants are saved considerable time and inconvenience by the fact that applications are handled expeditiously and permits or licenses issued in many cases immediately upon the filing and checking of the application. Even though a central bureau might be manned by a large and versatile staff, it is highly probable that from a practical point of view the general public would suffer greater inconvenience and loss of time through its operations as compared with the present decentralized procedure. It also appears probable that a central bureau would be more expensive to operate. Under the present system clerks handling applications perform other clerical duties in their respective departments. In the event of their transfer to the central bureau it would be necessary to provide replacements to cover the additional services now being performed. To expedite the flow of applications between the central bureau and the departments concerned a messenger force or tube system of communication would be desirable. In the opinion of the committee, the practical objections to a central permit bureau far outweigh its theoretical advantages, and for this reason the committee refrains from making any recommendation on this phase of the subject.

The efficacy of any revenue system or plan depends in large measure upon the manner in which it is administered. The administration of departmental fee schedules involves more than the handling and investigation of applications and the issuance of permits and licenses. More important from a revenue viewpoint is the making certain that all individuals and objects liable to the provisions of the fee schedules discharge their responsibilities by paying to the city treasury every fee for which they are liable. Unless the city collects under a fee schedule every cent to which it is justly entitled the schedule is not being efficiently administered.

City employees have the greatest stake in the continued existence of local government. Correspondingly, theirs should be the strongest interest in the efficient administration of their city's revenue system. For this reason every city employee should be familiar with the various privileges and services extended and rendered by city departments for which fees are charged and should always be on the alert to see that the city receives from permits and licenses all of the revenue to which it is lawfully entitled.

In conclusion, the committee is of the opinion that the attached schedules, if adopted, will not only result in substantially increased revenues to the city, but will also result in fees for licenses and permits more consistent with the type and character of service or privilege granted. The committee has endeavored to consider each item in the schedules both as a separate unit and with relation to all other items. Comparisons were also made with charges of other cities, for similar items, and, in the main, the fees proposed are in agreement with those charges.

The committee has had a series of conferences with all department officials, and with other interested parties, and has devoted considerable time to its consideration of this subject. We are of the opinion that the schedule requiring action by the City Council, together with the schedule representing charges to be established by action of the Mayor and department heads, will provide a new basis for fees which is reasonable and equitable under all the circumstances involved. Your committee has been careful to avoid increasing fees to a point where such charge might rightfully be termed an outright tax. In the process of its studies the committee has considered the amount of inspection or other work which is entailed; the value of the privilege granted; the ability of the applicant to meet the higher charges for permits or licenses; and all other factors which would lead to a reasonable and equitable schedule. The committee is of the belief that the results of its studies, if approved, will establish a new basis for fees which should obviate the necessity for further changes or revisions for some years.

CHARLES J. FOX,
JOHN B. HYNES,
WILLIAM A. MOTLEY, JR.,

CHANGES AND REVISIONS REQUIRING ACTION BY DEPARTMENT HEADS.

| EXISTING FEES. | TITLE. | PROPOSED FEES. |
|---|---|---|
| <p>BUILDING DEPARTMENT.</p> <p>\$1.00 per thousand of cost or fraction thereof; minimum fee \$1.00; maximum fee \$1,000.</p> <p>\$1.00 per thousand of cost or fraction thereof; minimum fee \$1.00; maximum fee \$1,000.</p> <p>\$1.00 per thousand of cost where cost is above one thousand dollars; no fee if cost is under one thousand dollars.</p> <p>\$5.00 per building.</p> <p>\$1.00 per building.</p> <p>\$1.00 per building.</p> <p>25 cents per building.</p> <p>\$5.00 per building.</p> <p>\$1.00 per building.</p> <p>\$1.00 per building.</p> <p>No fee.</p> <p>\$1.00 per building.</p> <p>\$1.00 per building.</p> <p>\$1.00 per thousand of cost.</p> <p>\$1.00 per thousand of cost.</p> <p>No charge.</p> <p>50 cents.</p> <p>No charge.</p> | <p>New construction.</p> <p>Alterations, additions and repairs of existing buildings.</p> <p>Amendments of plans.</p> <p>Original plumbing installations.</p> <p>Subsequent plumbing installations, re-placements, etc.</p> <p>Original gas fitting installations.</p> <p>Subsequent gas fitting installations, re-placements, etc.</p> <p>Original elevator installations.</p> <p>Elevator alterations, repairs, etc.</p> <p>Dumb-waiters.</p> <p>Annual elevator inspection.</p> <p>Fire escapes, balconies, etc.</p> <p>Taking down buildings.</p> <p>Signs, projections, marquees, etc.</p> <p>Sprinkler installations and repairs.</p> <p>Access to and inspection of departmental records.</p> <p>Voting certificates (issued to persons leaving the United States for a temporary period).</p> <p>Extra copies of voting lists.*</p> | <p>\$2.00 per thousand of cost or fraction thereof; minimum fee \$2.00; maximum fee \$2,000.</p> <p>\$1.00 per thousand of cost or fraction thereof; minimum fee \$1.00; maximum fee \$2,000.</p> <p>\$1.00 up to and including \$1,000 of cost; \$2.00 per thousand where cost is in excess of \$1,000; for immediate action \$3.00 per thousand of cost or fraction thereof.</p> <p>\$5.00 per building up to seven fixtures; 50 cents for each additional fixture in excess of seven; maximum fee \$200.</p> <p>\$1.00 per building up to five fixtures; 50 cents for each additional fixture in excess of five; maximum fee \$2.00; 50 cents for transfer or permit to complete work begun by another contractor.</p> <p>50 cents where service pipe is not in excess of 1 inch; \$1.00 for service pipes between 1 inch and 2 inches; \$4.00 for service pipes between 2 inches and 4 inches; \$5.00 for all service pipes in excess of 4 inches.</p> <p>Same schedule as for original installations.</p> <p>\$5.00 for first car and \$3.00 for each additional car.</p> <p>\$2.00 per car.</p> <p>\$1.00 per car; maximum fee \$10.00.</p> <p>\$2.00.</p> <p>\$1.00 per thousand of cost or fraction thereof.</p> <p>\$2.00 for buildings up to three stories in height; \$10.00 for buildings four and five stories in height; \$15.00 for buildings more than five stories in height.</p> <p>\$3.00 per thousand of cost or fraction thereof.</p> <p>\$2.00 per thousand of cost or fraction thereof.</p> <p>\$2.00 for plans, etc., covering dwelling house construction; \$5.00 for plans covering mercantile building, large apartment houses, etc.</p> <p>\$1.00.</p> <p>\$10.00 per ward.</p> |
| <p>ELECTION DEPARTMENT.</p> | | |

* The Committee has in mind that voting lists should be issued without charge in accordance with the following schedule: Mayoralty and candidates for state-wide offices. Three complete sets. Candidates for county offices, for Congress, for School Committee and for the State Senate. Two complete sets. State and City Political Committees. Two complete sets. Candidates for City Council or the House of Representatives. One complete set.

CHANGES AND REVISIONS REQUIRING ACTION BY DEPARTMENT HEADS.—Continued.

| EXISTING FEES. | TITLE. | PROPOSED FEES. |
|-----------------------------------|--|--|
| FIRE DEPARTMENT. | | |
| Fire Prevention. | | |
| 25 cents per job. | Fires in the open. | 50 cents per job. |
| \$2.00. | Use of incinerators. | \$5.00. |
| WIRE DIVISION. | | |
| \$5.00. | Motors: | \$5.00. |
| \$1.50. | 17 H. P. to 25 H. P. | \$10.00. |
| \$1.50. | 26 H. P. or over. | \$1.50 for first three transformers or less; 50 cents for each additional transformer. |
| \$1.50. | Generators: | \$2.00. |
| \$1.50 to \$2.00. | Ten kilowatt capacity or less. | \$3.00. |
| \$1.50. | Over ten kilowatt capacity. | \$2.00. |
| \$1.50 to \$2.00. | Low tension transformers: | \$3.00. |
| \$0.50. | Ten kilowatts or less. | \$0.75. |
| \$1.00 per year. | Over ten kilowatts. | \$5.00 per year. |
| HEALTH DEPARTMENT. | Duplicate permits. | \$25.00 annually. |
| \$100.00 original, no renewal. | Massage, vapor baths, etc. | \$1.00 annual license. |
| No fee. | Egg breaking and sausage manufacturing. | \$0.50. |
| No fee. | Markets and delicatessens handling perishable foods. | \$25.00 annual license. |
| No fee. | Duplicate license, with exception of peddlers. | \$25.00 annual license. |
| No fee. | Wholesale manufacturing bakers. | \$1.00 annually. |
| No fee. | Retail handling of bakery products. | \$25.00 annually. |
| No fee. | Live poultry commission houses. | \$25.00 annually. |
| No fee. | Boning establishments. | \$2.00. |
| No fee. | T. B. diagnosis certificate. | \$1.00. |
| No fee. | Advise concerning milk dealers. | \$1.00 annual inspection. |
| No fee. | Laundries. | \$25.00. |
| \$5.00. | Picnic groves. | \$5.00. |
| \$1.00. | Beano games. | \$5.00 per day, \$25.00 per week. |
| \$2.00 per day, \$10.00 per week. | Commercial shows. | \$500.00. |
| \$250.00. | Circus. | Halls over 12,000 seating capacity \$50.00; all others \$30.00. |
| \$25.00. | Wrestling. | \$300.00. |
| \$150.00. | Rodeo. | |

CHANGES AND REVISIONS REQUIRING ACTION BY DEPARTMENT HEADS.—Continued.

| EXISTING FEES. | TITLE. | PROPOSED FEES. |
|---|---|---|
| \$5.00 per ride. | Carnivals. | \$50.00, plus \$5.00 per ride. |
| \$5.00. | Sunday concerts, cafe and restaurant. | \$7.00. |
| 50 cents per 100 feet. | Openings in roadways, walks or grounds. | 50 cents per 50 feet. |
| 50 cents per 100 feet. | Emergency opening permits. | 50 cents per 50 feet. |
| \$5.00 per day. | Teaming or trucking over park roads where same is not permitted. | \$10.00 per day. |
| 2 cents to 5,000 square feet and 1 cent in excess. | Occupation of space for storing building materials during the course of erection. | 5 cents per square foot per month. |
| \$5.00 per day. | Moving buildings through or across park roads. | \$50.00 per day. |
| \$100.00 per year. | Maintaining gasoline dispensers on sidewalk. | \$250.00 per year. |
| \$1.00 and \$2.00 each. | Annual permits. | \$3.00 each, with \$1.00 for a temporary permit. |
| \$10.00. | Annual golf permit, Franklin Park. | \$15.00. |
| \$5.00. | Use of bowling green. | \$10.00. |
| No fee. | Special use of stadia, parks and playgrounds for other than departmental recreational purposes. | \$100.00 per day or night. |
| No fee. | Use of Parkman Bandstand. | \$15.00 per occasion, plus \$10.00 for amplifiers if used. |
| 50 cents individual; \$5.00 blanket. | Collective musician. | \$1.00 individual; \$10.00 blanket. |
| No fee, \$1.00 badge deposit. | Special police officers. | \$2.00, with \$1.00 badge deposit. |
| 50 cents per 100 feet. | Street openings. | 50 cents per 50 feet. |
| \$1.00 per month. | Painting. | \$2.00 per month. |
| 5 cents per square foot per month in the city proper extending on the south as far as Berkeley and Dover streets; 3 cents per square foot per month in that part of the city south from the above limits to and including Massachusetts avenue; 2 cents per square foot in all other parts of the city. | Occupation of sidewalk in connection with the erection and repair of buildings. | 10 cents per square foot per month in the city proper extending to the south as far as Massachusetts avenue; 5 cents per square foot per month in all other parts of the city; where occupation of the sidewalk involves only minor repairs, a permit for three days at a cost of \$1.00 will be issued; where work extends beyond three days, the rates for major repairs will be applied on per diem basis with a minimum charge of \$1.00. |
| \$1.00 per job. | Raising and lowering safes. | \$2.00 per job. |
| \$5.00 per day. | Moving buildings in streets. | \$10.00 per day; minimum fee \$25.00. |
| \$1.00 per year. | Crossing sidewalk with automobile (residents). | \$5.00 per year. |

CHANGES AND REVISIONS REQUIRING ACTION BY DEPARTMENT HEADS.—Concluded.

| EXISTING FEES. | TITLE. | PROPOSED FEES. |
|---|--|---|
| \$5.00 per year. | Crossing sidewalk with automobile (commercial). | \$25.00 per year. |
| \$1.00 per month. | Advertising with sign on hat or coat. | \$5.00 per month. |
| \$60.00 per year. | Placing tackle and gear for billboards and sign work. | \$100.00 per year. |
| \$10.00 per year. | Transporting loads exceeding legal limits. | \$10.00 per vehicle per year. Emergency permits \$2.00 per job. |
| \$1.00 per year. | Cleaning buildings, erecting flat or projecting signs. | \$5.00 per year. |
| \$1.00 per year (blanket). | Painting signs and store fronts. | \$2.00 per job. |
| \$12.50 per year. | Cleaning windows by contract. | \$25.00 per year. |
| \$1.00 per job. | Decorating buildings. | \$5.00 per permit. |
| \$2.00 per year. | Mooring hand propelled boats. | \$1.00 per month. |
| \$7.50 per year. | Mooring boats under 25 feet. | \$5.00 per month. |
| \$10.00 per year. | Mooring boats under 35 feet. | \$6.00 per month. |
| \$20.00 per year. | Mooring boats under 45 feet. | \$10.00 per month. |
| \$30.00 per year. | Mooring boats under 55 feet. | \$15.00 per month. |
| \$40.00 per year. | Mooring boats under 65 feet. | \$20.00 per month. |
| 50 cents for each additional foot over 65 per year. | Mooring boats over 65 feet. | 50 cents for each additional foot over 65 feet, per month. |
| 50 cents. | Certified copies of births, marriages and deaths. | \$1.00. |
| No fee. | Abstracts of births, marriages and deaths. | 10 cents, with discretionary power to the Registrar to waive fee. |
| No fee. | Search of department records. | \$2.00 per hour; 50 cents minimum charges. |
| 1-5 cars \$10.00. | Open-air parking spaces. | 1-5 cars \$15.00. |
| 6-10 cars \$20.00. | Open-air parking spaces. | 6-10 cars \$30.00. |
| 11-25 cars \$30.00. | Open-air parking spaces. | 11-25 cars \$50.00. |
| 26-50 cars \$40.00. | Open-air parking spaces. | 26-50 cars \$80.00. |
| 51-75 cars \$50.00. | Open-air parking spaces. | 51-75 cars \$100.00. |
| 76-100 cars \$75.00. | Open-air parking spaces. | 76-100 cars \$150.00. |
| 101-200 cars \$100.00. | Open-air parking spaces. | 101-150 cars \$200.00. |
| 201-500 cars \$250.00. | Open-air parking spaces. | 151-300 cars \$300.00; 301-500 cars \$500.00; over 500 cars \$1.00 for each additional car. |
| | REGISTRY DEPARTMENT. | |
| | STREET LAYING-OUT DEPARTMENT. | |

AN ORDINANCE CONCERNING THE LICENSE FEES OF THE CITY OF BOSTON.

Be it ordained by the City Council of Boston, as follows:

SECTION 1. Acting under the authority of chapter 297 of the Acts of 1931, the following fees are hereby established for licenses and permits issued by the City of Boston and the various departments thereof, viz.:

CHANGES AND REVISIONS REQUIRING CITY COUNCIL ACTION.

| ITEM. | STATUTORY AUTHORITY. | PRESENT FEE. | PROPOSED FEE. |
|--|--|---|--|
| BUILDING DEPARTMENT. | | | |
| Building Law appeals. | Chapter 540, Acts of 1907, as amended. | \$10.00. | \$15.00. |
| Zoning Law appeals. | Chapter 488, Acts of 1924, as amended by chapter 16, Acts of 1931. | \$15.00. | \$25.00. |
| Licensing of gasfitters. | Chapter 265, Acts of 1897. | Original license, master gasfitters, \$2.00; journeyman gasfitters, \$1.00; annual renewals, masters, \$1.00; journeyman, 50 cents. | |
| COLLECTING DEPARTMENT. | | | |
| Lien certificates. | Section 23, chapter 60, General Laws, as amended. | \$1.00. | \$2.50. |
| HEALTH DEPARTMENT. | | | |
| Collection of grease. | Section 31A, chapter 111, General Laws. | \$1.00 per truck. | \$5.00 per truck. |
| Collection of garbage. | Sections 1 and 31A, chapter 358, Acts of 1921. | \$2.00 per truck. | \$5.00 per truck. |
| Sale and transportation of milk and oleomargarine. | Sections 41 and 52, chapter 94, General Laws. | \$0.50. | \$1.00 for each location and vehicle. |
| Peddlers. | Section 19, chapter 39, revised Ordinances. | \$5.00. | \$10.00 for sales in market district; \$5.00 for sales in all other parts of city. |
| Slaughtering of animals. | Section 119, chapter 94, General Laws. | \$1.00. | \$100.00 annual fee for all slaughter-houses. |
| Offensive trades. | Section 119, chapter 94, General Laws. | \$1.00. | \$25.00 annual fee. |
| LICENSING BOARD. | | | |
| Innholders. | Section 2, chapter 140, General Laws. | \$5.00. | \$25.00 where innholder does not have a liquor license; \$5.00 where innholder holds a liquor license. |
| Beverages. | Section 21B, chapter 140, General Laws. | \$1.00. | \$5.00 per location where fountain service is maintained; \$1.00 for all other types. |
| Common victuallers. | Section 2, chapter 140, General Laws. | \$5.00. | \$10.00 without liquor; \$5.00 with liquor. |

CHANGES AND REVISIONS REQUIRING CITY COUNCIL ACTION.—Concluded.

| ITEM. | STATUTORY AUTHORITY. | PRESENT FEE. | PROPOSED FEE. |
|---|--|-------------------|--|
| STREET LAYING-OUT DEPARTMENT. Illuminated signs. | Section 8, chapter 85, General Laws. | \$1.00. | \$3.00 for 20 square feet or less; \$5.00 up to 40 square feet; 10 cents per square foot in excess of 40 square feet; no illuminated sign to project over the highway for more than 5 feet without an additional charge of \$1.00 per linear foot or fraction thereof. |
| Plain signs. | Section 8, chapter 85, General Laws. | \$1.00. | Cloth or canvas signs, 20 cents per square foot per month or fraction thereof; all other signs \$2.00 per year. |
| Marquees. | Section 8, chapter 85, General Laws. | \$1.00. | \$10.00 for 20 linear feet or less; 10 cents per linear foot, or fraction thereof, in excess of 20 linear feet; canopies \$1.00 per day or \$50.00 per year, in one location. |
| Street stands. | Chapter 584, Acts of 1907. | Maximum \$100.00. | Maximum \$300.00. |
| Gasoline and inflammable fluids. | Section 13, chapter 148, General Laws. | \$1.00. | Structures with a storage capacity of 1-1,000 gallons, \$25; 1,001-5,000 gallons, \$50; 5,001-10,000 gallons, \$75; 10,001-50,000 gallons, \$100; 50,001-100,000 gallons, \$200; over 100,000 gallons, \$100 per 100,000 gallons; maximum fee \$2,000. |
| WEIGHTS AND MEASURES DEPARTMENT. | | | |
| Scales, with a weighing capacity of 100 to 5,000 pounds. | Section 56, chapter 98, General Laws. | \$0.50. | \$1.00. |
| Scales, with a weighing capacity of 5,000 to 10,000 pounds. | Section 56, chapter 98, General Laws. | \$1.00. | \$2.00. |
| Scales, with a weighing capacity of more than 10,000 pounds. | Section 56, chapter 98, General Laws. | \$2.00. | \$0.10. |
| All other scales and balances. | Section 56, chapter 98, General Laws. | \$0.10. | \$0.05. |
| All weights and other measures, except measuregraphs and liquid measures over one gallon. | Section 56, chapter 98, General Laws. | \$0.03. | \$0.10. |
| Measuregraphs and liquid measures over one gallon. | Section 56, chapter 98, General Laws. | \$0.03. | \$1.00. |
| Personal weighing machines. | Section 56, chapter 98, General Laws. | \$0.50. | \$1.00. |

SECTION 2. This ordinance shall take effect on the first day of January, 1939.

[CHAPTER 571—ACTS OF 1910.]

AN ACT TO AUTHORIZE THE COLLECTION OF FEES FOR PERMITS AND LICENSES ISSUED BY DEPARTMENTS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Fees for Permits, etc., Issued by Departments of City of Boston Proviso.

SECTION 1. The heads of the various departments of the city of Boston may establish, subject to the approval of the Mayor, reasonable fees or charges for the issuance of permits and licenses by said departments; provided, however, that the charge for a permit to make excavations in any street or sidewalk shall not exceed fifty cents.

Certain Authority Not Affected.

SECTION 2. The authority in the preceding section shall not deprive any of the officials named in section twenty-eight of chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine of any authority given therein to fix the charges for permits and licenses.

SECTION 3. This act shall take effect upon its passage. [Approved May 26, 1910.]

[CHAPTER 297—ACTS OF 1931.]

AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF BOSTON, WITH THE APPROVAL OF THE MAYOR, TO FIX FEES FOR CERTAIN LICENSES AND PERMITS, AND TO ESTABLISH AND FIX FEES FOR THE QUALIFICATION OR WARRANT OF CERTAIN OFFICERS.

Be it enacted, etc., as follows:

The City Council of the City of Boston May, With the Approval of Mayor, Fix Fees for Certain Licenses and Permits.

SECTION 1. In the city of Boston the city council, with the approval of the mayor, shall have the power to fix the fees for licenses or permits for which a fee is collected at the date of the passage of this act under authority of statutes then existing in all cases where the entire proceeds of such fees form part of the income of the city, but excepting fees for marriage licenses or for licenses granted by the mayor under chapter four hundred and ninety-four of the acts of nineteen hundred and eight and its amendments and additions. Until action is taken under this act in respect to any fee subject to its provisions, the same shall remain as established on said date.

May Establish and Fix Fees for Qualification or Warrant of Certain Officers.

SECTION 2. The city council of said city, with like approval, may establish and fix fees to be paid to the city clerk for the use of said city for the qualification or warrant of any officer, appointed by the mayor and confirmed by the city council, whose compensation is derived from fees charged for the exercise of powers conferred by such appointment.

Inconsistent Provisions of Law Not Applicable in City of Boston.

SECTION 3. All provisions of law, in so far as inconsistent with the provisions of this act or with any action authorized hereunder, shall not apply in the city of Boston.

SECTION 4. This act shall take effect upon its passage. [Approved May 12, 1931.]

Referred to the Committee on License Fees.

PETITIONS REFERRED.

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

Claims.

John DeCoursey, to be reimbursed for execution issued against him.

Daniel Epstein, for compensation for damage to car by city truck.

Julia Kasprzak, for compensation for injuries caused by an alleged defect at Centre street and Hyde square.

Mrs. Morris R. Levin and Mrs. Pearl Saievit, for compensation for damage to car and injuries caused by city truck.

John McPherson, for payment for architectural services.

Edith A. Wilson, for compensation for injuries caused by an alleged defect in Exeter street.

Committee on Ordinances.

Petitions for special permits for driveway openings, viz.:

M. Gertrude Godvin, 200 Pond street, Jamaica Plain.

Building Material Wholesalers, Inc., 286 Ruthford avenue.

EXECUTIVE DIRECTOR, PUBLIC WELFARE DEPARTMENT.

Notice was received of the election, on November 15, 1938, by the Overseers of the Public Welfare, of William G. O'Hare to be Secretary of the Board and Executive Director of the department. Placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor November 14, 1938, of Robert Calderbank and John C. McIsaac, to be Weighers of Coal; and Joseph W. Blair and James J. Connell, to be Weighers of Beef.

The question came on confirmation. Committee, Coun. Sullivan and Irwin. Whole number of ballots, 12, yes 10, no 2, and the appointments were confirmed.

POSTPONEMENT OF TAX TITLE SALE ADVERTISING.

Coun. ROSENBERG offered the following:

Ordered, That the City Collector, through his Honor the Mayor, be requested to postpone advertising for sale of real estate for the non-payment of 1937 taxes until April 1, 1939.

Coun. ROSENBERG—Mr. President, I understand that there is now in preparation an advertisement for tax sale selling of property upon which the 1937 taxes have been unpaid. I believe, following the customary procedure, such tax sales would not take place until April, 1939, but for some reason the payment of the tax has been advanced, presumably to bring in additional money at this time. Thousands of people, however, in times like these have trouble in meeting their tax payments, and I believe the program which is now under way will result in hardship to hundreds of owners of property, resulting, as it will, in foreclosure proceedings and in these people losing their homes through such foreclosures by the banks. I certainly hope that the City Collector will be requested by his Honor the Mayor to hold off for a reasonable time, so as to give such people a chance to pay the taxes that are now unpaid and to continue to hold their homes.

The order was referred to the Executive Committee.

RETIREMENT OF CERTAIN COURT CLERKS.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to amend the provisions for retirement of certain assistant clerks of the Supreme Judicial Court and certain assistant clerks of the Superior Court for Civil Business in the County of Suffolk, to permit certain assistant clerks to serve out the term for which they have been appointed without losing their pension or annuity right under the retirement system of which they are members; substantially in accordance with the bill filed on petition of George E. Kimball and others.

Referred to Executive Committee.

REMOVAL OF ATLANTIC AVENUE ELEVATED STRUCTURE.

Coun. WILSON offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to provide for the removal of the elevated structure of the Boston Elevated Railway Company, from the junction of Washington and Castle streets to

the junction of Causeway street and Charlestown Bridge, at Keany square, being known as the Atlantic avenue structure, said structure being no longer in use for the transportation of passengers, and the Law Department of Boston is hereby directed to bring proceedings in the General Court of 1939 to accomplish said removal.

Coun. WILSON—Mr. President, at the last meeting of the Council I filed an order which was passed, requesting the removal of the Atlantic avenue structure, but I understand that the procedure in such a matter is technical. Under section 5 of chapter 3 of the General Laws, I understand that the proposed action must be advertised once each week for three weeks, the last publication being fourteen days before the first of January. For purposes of the record, let me say that the Atlantic avenue elevated structure was completed in June, 1901, for trains to run from the North Station, through Atlantic avenue, Beach street, Harrison avenue, Castle street, into Tremont Street Subway to the North Station, and reverse. The proposed loop trains did not meet operating expenses. A few years later a subway was constructed under Washington street, connected with the "El" structure on Washington street, and the Atlantic avenue loop trains were discontinued in November, 1908. Thereafter, trains were run at certain hours from Dudley street via Atlantic avenue, and there was also shuttle service between the North and South Stations. The trustees assumed charge of the Elevated in 1918. In July, 1935, the trustees began the removal of that part of the Atlantic avenue "El" structure from Washington street through Castle street to the Tremont Street Subway, thereby removing all further possibility of use of the structure for its original purpose—that is, loop service from the North Station. All service on the balance of the Atlantic avenue line was discontinued October 1, 1938. Over a period of nineteen years, since 1918, more than \$100,000 each and every year has been paid out to keep the Atlantic avenue structure in repair. That amounts to close to \$2,000,000, of which Boston has paid over half. There was little, if any, excuse for continuing the structure during the nineteen years since 1918 at heavy annual loss, which had to be paid by fourteen cities and towns, including Boston. Now that all use of the Atlantic avenue structure has been discontinued, there is no excuse for not removing the structure. Its continued existence is an expense to Boston and an obstruction to travel between the North and South Stations. I very strongly believe that there is no rhyme or reason in the Elevated company or the trustees opposing prompt demolition of that elevated structure, except to bolster up alleged assets of a bankrupt company. To continue to so carry this Atlantic avenue elevated structure is like a private corporation carrying a 1910 Ford as one of its assets. Therefore, I urge the passage of this order, not only that the Council may express its opinion of this abandoned elevated structure, but that our opinion may be more than a gesture, looking to action by the Corporation Counsel through proceedings in the General Court of 1939 to accomplish this removal.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON INSPECTION OF PRISONS.

Coun. FITZGERALD, for the Committee on Inspection of Prisons, submitted the following:

1. Report on message of Mayor and order (referred November 14) transferring \$20,000 from appropriation for Sales of City Property to appropriation for Establishment of Poultry Industry—recommending reference to Executive Committee.

Report accepted; said reference ordered.

2. Report on message of Mayor and order (referred November 14) amending Compensation and Classification Plans for Officers and Employees of Suffolk County to include position of Supervisor of Poultry and Poultry Raising—recommending reference to Executive Committee.

Report accepted; said reference ordered.

INVESTIGATION OF HURRICANE DAMAGE EXPENDITURES.

Coun. SHATTUCK offered the following:
Ordered, That his Honor the Mayor be requested to consider the advisability of asking the

Attorney-General to make a most thorough and searching investigation of alleged irregularities in connection with the expenditure of the hurricane damage appropriations made by the Commonwealth, and to hold public hearings on the subject.

Coun. SHATTUCK—Mr. President, there was an appropriation by the Commonwealth of something over \$19,000,000 for this purpose, of which Boston's share will be about \$4,000,000. Most of that must be charged to the Highway Fund, which depletes that fund by so much and accordingly leaves that much less for highway purposes in Boston than there would otherwise be. Boston, therefore, is very much interested in this matter. The claim of irregularity involves the use of the money for purposes having nothing whatever to do with the hurricane or flood. It has also been charged that there are a number of gift contracts that have been given, and some so-called cost-price-plus contracts let under very favorable circumstances to favored contractors. I am glad that the Attorney-General has announced his purpose of looking into these matters, but I think it desirable that the City of Boston should show its interest in a searching investigation and in having public hearings held.

Coun. IRWIN—I also have an order which I was prepared to present, requesting information in regard to gift contracts. In connection with the recent hurricane the Governor let out contracts to the extent of \$15,000,000. The Legislature was called into special session merely to approve these bills. The Legislature had nothing to do with letting out the contracts, but the Attorney-General ruled that before the money could be paid the Legislature would have to approve the expenditure. When the Legislature came in \$4,000,000 more was added on the recommendation of the Republican-controlled House Ways and Means Committee. I think that \$4,000,000 contains the only gift contracts, such as have been referred to. There was no public hearing but, as I have said, the matter was acted upon by the Republican-controlled House Ways and Means Committee, which recommended to the Legislature that \$4,000,000 be added. As far as these contracts are concerned, I heartily agree that they should be investigated.

Coun. SHATTUCK—Mr. President, I am in favor of the investigation, no matter whom it hits. I did not have in mind any partisan purpose. Let it be a full and free investigation, for whatever it may show, and no matter where it carries.

The order was passed under suspension of the rule.

PREFERENCE TO BOSTON CITIZENS BY HOUSING AUTHORITY.

Coun. CHASE offered the following:

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to adopt the policy of giving preference to Boston citizens in the awarding of architectural and building contracts in connection with the new housing projects and also in the matter of the employment in connection with the razing of old structures and the erection of the new housing units.

Coun. CHASE—Mr. President, I understand that one of the primary reasons given for the City Council's action in accepting the contract with the Housing Authority, on the four proposed housing projects was that immediate action on the matter would enable many unemployed men to be put to work. With this in mind, I feel that the Council should definitely go on record as being in favor of giving Boston men preference on all work in connection with the four proposed housing projects. I understand that the Housing Authority has tentatively engaged the services of four nonresident architects, who will receive in the vicinity of \$550,000 in drafting the necessary plans. Surely in this great city of ours there must be an ample number of taxpaying citizens who more than qualify to perform the required architectural work. I feel that the Boston Housing Authority should adopt the attitude of putting as many Boston architects to work as possible. I understand that in other sections of the country where housing units have been built, that as many as nine to seventeen architects were employed on one housing unit. If the Housing Authority would adopt this principle they could put many unemployed architects to work. I see no logical reason why the Housing Authority should not adopt my

proposition and I trust that I have given this Honorable Body sufficient justification in passing this order.

The order was passed under suspension of the rule.

INCLUSION OF BASKETBALL IN SCHOOL ATHLETICS.

Coun. IRWIN offered the following:

Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to include basketball in the high school sports program for the coming year and include any expense attached thereto in the 1939 budget.

Coun. IRWIN—Mr. President, I have already introduced a similar order requesting the School Committee through his Honor the Mayor, to include basketball in the high school sports program, but nothing has been done about it. The reason why I now introduce this order is because of the position the School Committee takes that this sport is too expensive to be placed in the schools. In view of the attitude of the School Committee, this may seem to many members of the Council a futile gesture on my part, desiring to have this sport placed in our high school sports program. But the reason why I have introduced the order is that I think the School Committee should now make a careful examination of the matter, with a view to revising their judgment. So far as expense is concerned, the School Committee must realize what is now being paid out for different sports. Take football, for instance,—every high school pays out considerable for that, and it is in itself what you would call an expensive sport. Then there is hockey, another source of expense to the high schools. That also may be considered an expensive sport. On the other hand, Boston is the only big city in the United States that does not have basketball on its high school sports program. Boston is one of the finest gymnasium cities in the entire country, and if basketball was placed in the schools every high school would have a gymnasium fitted for it. Students everywhere enjoy basketball, and they like to see basketball games. As proof of my statement in regard to the popularity of basketball, at the last conference of the National Youth Association, when they voted upon the relative importance and popularity of certain sports, while football was naturally quoted as the most popular, second to football, and even surpassing baseball as a sport, was basketball. Simply because years ago, I think in 1910, a death occurred in basketball is no reason to bar the sport forever. It is played by girls' teams throughout the country and naturally a game played by girls cannot be considered a violent sport. The main factor in the game is speed. So I would like to call upon the School Committee to investigate the matter thoroughly. Some of the members of the School Committee took up sports in their college days, and I believe when they consider the matter well they will come to the conclusion that the students do want basketball and that they should have it. There is really no great expense involved, and it is a highly popular sport, which I believe should be encouraged in Boston, as it is in all the other large cities of the country. I trust that the School Committee will not simply look at this casually and dismiss it, because they have not had it for twenty-eight years, but will now make a thorough investigation. I am sure that after such an investigation, looking over the situation in every important city of the United States, they will approve of basketball.

The order was passed under suspension of the rule.

HOUSING PROJECT IN EAST BOSTON.

Coun. IRWIN offered the following:

Ordered, That the Boston Housing Authority be requested through his Honor the Mayor, to make an immediate survey of the East Boston District of Boston, with the view of establishing a Federal Housing Project at the earliest possible time.

Coun. IRWIN—Mr. President, the reason why I have introduced that order at this time is because East Boston is not included in the projects that have been approved for construction

in the immediate future. When Chairman Breen of the Housing Authority was before the Executive Committee, I asked him why something could not be given to East Boston out of the \$24,000,000 that was available from the Federal Government. He assured me that the only reason why East Boston was not among the included projects was because the proposed site there was on a hill. I trust, if additional money comes along, that Chairman Breen of the Housing Authority will be able to approve of some site there, that some site in East Boston will be accepted and not turned down.

The order was passed under suspension of the rule.

FIRE STATION, ORIENT HEIGHTS.

Coun. IRWIN offered the following:

Ordered, That the Fire Commissioner be requested, through his Honor the Mayor, to establish a fire station in the Orient Heights section of East Boston.

Passed under suspension of the rule.

COMMENDATION FOR RESCISSION OF ELEVATED ORDER.

Coun. IRWIN and SULLIVAN offered the following:

Resolved, That the members of the Boston City Council, in meeting assembled, wish to extend to the trustees of the Boston Elevated Railway their commendation for their action in rescinding the order which would increase the fare from five cents to ten cents in some sections of the "El" System.

Passed under suspension of the rule.

RESURFACING OF NORWAY STREET.

Coun. CHASE offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Norway street, between Huntington avenue and Falmouth street, Ward 4, as a W. P. A. project.

Passed under suspension of the rule.

TRAFFIC LIGHTS, BRIGHAM CIRCLE.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor arrange for the transfer, from the sale of tax titles, or from some other fund, of a sum sufficient to cover the installation of traffic lights at Brigham Circle, Ward 10.

Coun. CAREY—Mr. President, that order is about the same as an order I introduced a few weeks ago. I am introducing it again today simply as a means of bringing the matter to the Mayor's attention once more. The people in that section are demanding traffic lights for their safety. I certainly feel that this is a matter of sufficient importance so that the Mayor will be inclined to take favorable action upon my order.

The order was passed under suspension of the rule.

POWER PLANT, BOSTON PUBLIC LIBRARY.

Coun. CAREY offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to refrain from turning over to the Boston Edison Company the power plant connected with the Boston Public Library.

Coun. CAREY—Mr. President, as I understand it, one of the results of turning over this power plant connected with the Boston Public Library to the Edison Company would be the discharge of the people now running it for the library who are residents and taxpayers of the City of Boston, and in their places there will be employed for this purpose very likely people living outside of Boston. It is one of those cases where the citizens of Boston would probably be ignored. They are responsible for the upkeep of the Boston library,

and I think the trustees might well consider the interests of citizens of Boston in the proposition to turn over this power plant to the Edison Company.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 2.50 p. m., on motion of Coun. SHATTUCK, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 5.26 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on resolve (referred today) that Council favors enactment of legislation to amend provisions for retirement of certain assistant clerks of Supreme Judicial Court and certain assistant clerks of Superior Court for Civil Business—recommending adoption of the resolution.
Report accepted; resolution adopted.

2. Report on order (referred today) that City Collector be requested to postpone advertising for sale of real estate for nonpayment of 1937 taxes until April 1, 1939—that same ought to pass.
Report accepted; said order passed.

3. Report on message of Mayor and order (referred today) amending compensation and classification plans for officers and employees of Suffolk County by abolishing classification of chief stenographer and indictment clerk and substituting therefor the following classification of indictment clerk—that same ought to pass.

Report on message of Mayor and order (referred today) amending compensation and classification plans for officers and employees of Suffolk County by establishing classification of officer-steward—that same ought to pass.

Reports accepted; orders passed, yeas 18, nays 0.

4. Report on message of Mayor and order (referred today) that City Treasurer be authorized to obtain approval of Emergency Finance Board to issuance of \$1,500,000 in notes, bonds or certificates of indebtedness for purpose of meeting outstanding revenue loans—that same ought to pass.

Report accepted; said order read once and passed, yeas 18, nays 0.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. MURRAY, for the Committee on Ordinances, submitted the following:

1. Report on petition of Singer Sewing Machine Company (referred October 17) for driveway opening at 180 Purchase street—that permits be granted.

Report on petition of Maria Goglia (referred October 31) for permit for driveway opening at 383 Maverick street—that permit be granted.

Coun. GALVIN—Mr. President, I moved that that be referred to the Executive Committee, so that the members of the Council may have a chance to become more familiar with it.

Coun. MURRAY—Mr. President, in the case of the Purchase street opening, as I understand, it is in connection with the construction of a new building, and they need the opening to get back of their property, on Congress street. The other is a petition for a driveway opening in East Boston, on Maverick street. I understand that the East Boston representative knows about the opening, and that he favors it.

Coun. GALVIN withdrew his motion.
Reports accepted; permits granted under usual conditions.

2. Report on ordinance (referred September 12) concerning taking of sea worms—that same ought to pass, with an amendment that the ordinance take effect December 1, 1938.

Report accepted; said ordinance as amended passed.

REPORT OF COMMITTEE ON RULES.

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

Report on resolve (referred November 14) that Council memorialize President and Secretary of State to file protests with German Government against atrocities perpetrated against Jewish and Catholic people in Nazi Germany—that same ought to pass.

Report accepted; said resolution adopted.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following:

1. Report on petition of John J. Madden (referred October 17) to be reimbursed for amount of execution issued against him on account of his acts as member of Boston Police Department, recommending passage of accompanying order, viz.:

Ordered, That the sum of six hundred thirty-nine dollars and fifteen cents (\$639.15) be allowed and paid to John J. Madden in reimbursement for amount of judgment issued against him on account of his acts as a member of the Boston Police Department, said sum to be charged to the Contingent Fund.

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

Coun. FITZGERALD—Mr. President, I think we should have that explained.

The clerk read the following report on the case by the Law Department:

Law Department.

Henry Parkman, Jr., Esq.,
Corporation Counsel,
11 Beacon Street, Boston.

In re John Madden vs. City of Boston (Case of Horace Biles).

Dear Sir.—The petitioner is a police officer of the City of Boston, attached to Traffic Division. The petitioner was on duty January 1, 1937, at Dock square, Boston, and took into custody one Horace Biles. On the way to the police station, Biles claimed that Officer Madden did commit an assault and battery upon him, in consequence of which he received, among other injuries, a fractured nose.

Suit was brought by Biles in the Superior Court Norfolk County, for false arrest and assault and battery. It was contended by Officer Madden that he did not use any unnecessary force upon Biles and that he was justified in making the arrest because of the alleged intoxicated condition of Biles while operating a motor vehicle in said Dock square. This case was tried before Judge Kirk and a jury on June 23, 24 and 27. After the jury had deliberated some five hours it returned a verdict in the sum of \$600.

In view of the nature of the injuries resulting from the alleged assault this amount was justified. It was my opinion at the time that the jury returned a compromise verdict, the sum expected by the plaintiff's counsel being between \$2,000 and \$3,000. Execution subsequently issued in the amount of the verdict, plus \$39.15 costs, making a total of \$639.15.

The matter was called to the attention of Police Commissioner Timilty and this department is now in receipt of a communication from the commissioner recommending that the claim of Officer Madden be allowed and that he be reimbursed in the amount of the execution as he was on active duty at the time.

Under these circumstances, as the petitioner was in the performance of duty at the time of the arrest and assault it is recommended that he be reimbursed in the amount of the execution and costs, namely, \$639.15.

As the petitioner was in the performance of duty and as the Corporation Counsel represented him at the request of the head of his department, under G. K. (Ter. Ed.), c. 41, s. 100A, as amended by the Acts of 1933, c. 318, it is recommended that he be indemnified in this case.

Yours very truly,

J. A. DORSEY,
Assistant Corporation Counsel.

Approved by

HENRY PARKMAN, JR.,
Corporation Counsel.

Coun. FITZGERALD—Mr. President, I noticed in the papers this morning that a man was critically injured because, being out of gas, he went to a gas station, and when the gas was being poured into the tank an automobile driven by a policeman struck him, seriously injuring him, so that he had to be taken to the hospital. He was put on the danger list, and perhaps is fatally injured. Now, the reason why I ask about this matter now before us is because I recall reading about the incident in the papers some time ago, when, according to what was brought out at the trial, it appeared to me that it was a pretty raw proposition, so far as the action of this police officer was concerned. It seems to me that the City Council is going pretty far in approving these claims, which, going back some years, amount to hundreds of thousands of dollars. We find here, in our meeting today, that people are being forced to pay taxes, when they are having a very hard time to do it, and may very likely lose their homes, and still we are allowing men like this to go out and assault citizens of this city, break men's noses, perhaps maiming them for life, crippling and scarring them up. It seems to me that the whole thing is going pretty far. The report of the Law Department does not seem to me to make it look any better. I, for one, am not going to vote for this proposition, because I believe we would be wrong in doing it. If we are going to condone this sort of thing, lead these men to believe that they can act in such a way and get away with it hereafter, we are headed for a great deal of trouble. I am waiting with interest to see how this case that I have referred to in the morning papers is coming out, what the answer is to be. A man is standing on the street, putting gas in his car, and a policeman comes driving along and knocks him down, badly injuring him. I think to allow that sort of thing to continue is wrong, and I am not going to cast my vote to approve claims of this kind without knowing something about the facts and being assured that the officer is not to blame. The Law Department should not condone such acts. I think it is time that such men went to jail. The records of the city government will show that there was no condonation of this sort of thing in the old days. They were pretty tough with those fellows then. If an officer was at fault he was not reimbursed, but had to pay himself. I remember of cases where they went to Charles Street Jail, and reimbursement was never allowed under such circumstances, where the officer was at fault. Now, however, it has become a regular racket. Attorneys get these cases, and finally get the city to pay. There is a chance to save a few dollars here, and I now wish to go on record as being opposed to the passage of this order. I think it would be a wrong thing, and I, for one, am opposed to it.

Coun. TAYLOR—Mr. President, while I am inclined to agree to a great extent with what the councilor from Ward 3 has stated, nevertheless, there seem to have been extenuating circumstances, and the officer seems to have acted in the performance of his duty. Therefore, the Law Department favors the payment. Our passage of the order is the only way in which this man can receive the money. I don't know who he is, but he seems to have done what he is charged with in the performance of his duty, and the Law Department, after considering all the facts, recommend that he be indemnified. I do not believe that a policeman under such circumstances should suffer. Therefore, I shall vote in favor of the order, in view of the report of the Law Department.

Coun. GALVIN—Mr. President, this fellow has in a way been backed up by the Law Department in his application for reimbursement for judgment against him because of personal injury that he inflicted, as we are told in the so-called performance of his duty, upon a citizen. I, like the councilor from the West End (Coun. Fitzgerald) remember reading the article in the newspaper some time back, detailing what happened at the time referred to, and I remember reading the statement of the gentleman who had been assaulted. I felt that the officer was in no way warranted in assaulting the man as he did. Of course, if a police officer in the proper performance of his duty has to commit an assault, which is justified, in arresting a man, I believe he should be compensated. But this particular police officer on five different occasions before, as I understand it, had been warned not to lose his head. I have been informed in Charlestown that there have been other occasions where this same police officer was involved. On one occasion he and three other police officers went

along to where a car was parked on a bill, with two occupants, the man driving the car and his wife. One of the officers demanded that the man show his driving license. He stepped out of the car, and while searching for his license one of the officers, as the testimony was given in the Charlestown court, reached into the man's vest pocket and took out a \$20 bill. Then and there the individual who was being robbed wrestled with the police officer, and being somewhat stronger than the officer threw him down, and got the money back. Then this officer, whose actions are now being questioned, according to the testimony, assaulted the car owner and took the \$20 bill away from him, at the same time considerably injuring him physically. The injured man the following morning positively identified this particular officer as one of the individuals who helped rob and assault him. Now, I stand here to protest against citizens of Boston receiving such treatment from police officers. They certainly are entitled to some kind of protection from our police. I certainly do not think such officers should be reimbursed for verdicts against them where they have injured citizens without any cause. I, for one, will positively vote "No" on that order.

Coun. HUTCHINSON—Mr. President, we all know that private corporations are responsible for the torts of their employees. Now, the city in a matter of this kind cannot be sued directly. Otherwise, it would be liable. When such petitions are brought, for reimbursement, they go before the Law Department, and the department, where it believes it justified, agrees to the payment of a certain amount to settle the case. It is always less than the amount that the court has allowed. In this case the Law Department has acted favorably upon the petition, on the ground that the act was committed by the officer in discharge of his duty. But certainly, in cases of this sort where it is found that an injury was caused by an officer in the discharge of his duty, the city should reimburse the officer, as it should reimburse all of its employees under such circumstances. Otherwise, an officer or an employee might be subjected to great hardship.

Report accepted; order passed, yeas 15, nays 4:
Yeas—Coun. Agnew, Carey, Chase, Englert, Fish, Hutchinson, Kelly, Kerrigan, Lyons, Murray, Norton, Rosenberg, Shattuck, Sullivan, Taylor—15.

Nays—Coun. Fitzgerald, Galvin, Irwin, Wilson—4.

2. Report on petition of William J. Degnan (referred November 14), to be reimbursed for amount of execution issued against him on account of his acts as operator of motor truck belonging to Boston Traffic Commission, recommending passage of accompanying order, viz.:

Ordered, That the sum of one hundred and fifty dollars (\$150) be allowed and paid to William J. Degnan in reimbursement for amount of execution issued against him on account of his acts as operator of motor truck belonging to the Boston Traffic Commission, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

3. Report on petition of William A. White (referred October 17) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Sanitary Division, Public Works Department, recommending passage of accompanying order, viz.:

Ordered, That the sum of thirty dollars (\$30) be allowed and paid to William A. White in reimbursement for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to the Sanitary Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

4. Report on petition of Edmund L. Morris (referred October 24) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to the Boston City Hospital, recommending passage of accompanying order, viz.:

Ordered, That the sum of three hundred eighteen dollars and fifty-five cents (\$318.55) be allowed and paid to Edmund L. Morris in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Boston City Hospital, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

5. Report on petition of Bartholomew A. Clements (referred October 31) to be reimbursed for amount of execution 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 one hundred forty-four dollars (\$144) be allowed and paid to Bartholomew A. Clements in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

6. Report on petition of Neil P. Coyle (referred October 17) to be reimbursed for amount of execution issued against him on account of his acts as operator of motor vehicle belonging to Sanitary Division, Public Works Department, recommending passage of accompanying order, viz.:

Ordered, That the sum of eleven dollars and twenty cents (\$11.20) be allowed and paid to Neil P. Coyle in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; said order passed.

7. Report on petition of William P. McNulty (referred October 31) to be reimbursed for amount of execution 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 dollars (\$20) be allowed and paid to William P. McNulty in reimbursement for amount of execution issued against him on account of his acts as operator of a motor truck belonging to Sanitary Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

8. Report on petition of Leo G. Hearnis (referred November 14) 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-five dollars (\$25) be allowed and paid to Leo G. Hearnis 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 Contingent Fund.

Report accepted; said order passed.

COMMITTEE RE TAX TITLE ADVERTISING POSTPONEMENT.

Coun. ROSENBERG offered the following:

Ordered, That a committee of seven members of the City Council be appointed to wait on his Honor the Mayor to request the postponement of the tax title advertising which is now scheduled for November 26.

Coun. TAYLOR—Mr. President, I don't want here to air anything that took place in executive session today, but I have never witnessed a man who was so cruel, vicious and heartless against people in no position to take care of the taxes upon their homes as our City Collector. There is a man who, even with the efficiency system now in vogue in the Collection Department, in connection with which we have appropriated thousands of dollars for new machines, does not allow the taxpayers to receive their bills until much later than is ordinarily the case. His proposed action at this time in the matter of advertising properties for sale, when those taxed have not yet had an opportunity to get an abatement, is certainly harsh and cruel. It is particularly hard on some widows and others in very straitened circumstances. He should certainly wait until there is a chance to act upon possible abatements. I have been requested by many of these widows to do something in their behalf. If some action is not taken to delay the proposed procedure, these people will suffer foreclosure and loss of their property. This new City Collector of ours is going to drive out on the streets many widows with children, who have no income and who will therefore suffer untold hardships. This man is

grossly incompetent, and I think such a committee should wait upon the Mayor and request the postponement of this tax title advertising, which is now scheduled for November 26. Certainly, there should be no such cruel treatment of those unable to pay at this time.

The order was passed under suspension of the rule, and Coun. Fitzgerald, Murray, Sullivan, Shattuck, Irwin, Wilson and Rosenberg were appointed as said committee.

ACTION ON TAX SALES.

Coun. FITZGERALD offered the following:

Ordered, That the Mayor of Boston direct the City Collector to hold up the advertising and sale of all parcels of property on which 50 per cent or more of the taxes have been paid, until January 12, 1939.

Coun. FITZGERALD and MURRAY offered the following:

Ordered, That the City Collector be directed by his Honor the Mayor to bid in all properties set up for tax sale in name of the city.

Severally passed under suspension of the rule.

ADVERTISEMENT OF PROPOSED TAX SALES.

Coun. MURRAY offered the following:

Ordered, That the City Collector be requested, through his Honor the Mayor, to publicly advertise in the Boston daily papers, the material facts concerning the proposed tax sale, especially, with respect to the time allowed to property owners to redeem such property after such sale.

Coun. MURRAY—Mr. President, I certainly think the various individuals concerned in this tax sale matter are entitled to such information as I have suggested in this order. Their homes are at stake, and they are entitled to all the material facts concerning the proposed tax sale, especially, with respect to the time allowed property owners to redeem such property after the sale. They should receive that information and should have an opportunity to consult with their counsel. No doubt many of them do not understand the statutory provision giving them a period of two years in which to redeem. I think this is a good order, and will have good results, giving the people notice that they should have. If this information were given, I feel that the taxpayers would not be scared and in such a panic as they are at the present time. As a matter of fact, the sale is only the beginning, and there is then a waiting period of two years for redemption. If that information is given to the general public, I feel that it will relieve them to a great extent.

The order was passed under suspension of the rule.

PURCHASE OF TAX TITLES BY CITY.

Coun. MURRAY offered the following:

Ordered, That his Honor the Mayor be requested to instruct the City Collector that all tax titles be purchased by the city, and that no private individual be permitted to participate in such purchases.

Coun. MURRAY—Mr. President, I feel that if no private individual were permitted to participate in these tax title purchases, if all tax titles were purchased by the city, it would prevent the evils that have existed in the past through the purchase of tax titles by individuals with the resulting hardship upon those who have later endeavored to redeem the property. From my understanding of the procedure this afternoon, individuals are now going to be allowed to come in and bid on these tax title properties. We all know the scandals that have taken place in years past because of that, and the only remedy is to have the City of Boston take over the tax titles in the first instance. You and I know that if these tax titles come into the possession of speculating individuals, it is necessary afterwards for the original owners to pay an enormous fee to get their property back. Such a condition should not exist in an enlightened city like Boston, and, therefore, I am asking the Mayor to instruct the City Collector that all tax titles be purchased by the city and that no private individual be permitted to participate in such purchases.

The order was ruled out of order.

ARC LIGHT, 79 NORTON STREET.

Coun. KELLY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light in front of 79 Norton street, Ward 15.

Passed under suspension of the rule.

TRANSFERS FOR TRAFFIC LIGHT SIGNALS.

Coun. AGNEW offered the following:

Ordered, That his Honor the Mayor be requested to transfer, from funds received and available from the sales of city property, a sum sufficient for the installation of traffic signal lights at dangerous intersections in Ward 21 and other dangerous intersections throughout the city.

Passed under suspension of the rule.

AFFIRMATIVE VOTES ON REFERENDA.

Coun. NORTON offered the following:

Ordered, That the State Ballot Law Commission, through his Honor the Mayor, be requested to consider the advisability of having a study made relative to the matter of ascertaining whether or not it is possible to work out some plan whereby the tendency of so many voters to vote "Yes" on referenda without carefully perusing the question can be corrected.

Coun. NORTON—Mr. President, the State Ballot Law Commission and legislators should make a study of the matter of placing referenda on the ballot calling for a "Yes" vote. Apparently many voters are so inclined to vote "Yes" on any and all questions that it places the opponents at a disadvantage. For instance, if, at the last election, a red referendum appeared on the ballot worded as follows: "Shall the Commonwealth immediately refuse to accept further contributions from the Federal Government for W. P. A. work and stop the present intrusion of the Federal Government into local affairs," I believe the "Yes" vote would have won and over 130,000 W. P. A. workers in Massachusetts might have had their jobs jeopardized, this at an hour when many local governments are unable to care for their unemployed without Federal assistance.

Coun. SHATTUCK—Mr. President, I might ask the gentleman if the people of his district did not vote two to one against the housing proposition? (Laughter.)

Coun. NORTON—Yes, Mr President, and that is exactly one of the reasons for this order. On referenda submitted to the voters of the state, nine out of ten mark "Yes." Therefore, I ask here if it would not be possible to make a study of this problem, where there are so many "Yes" and so many "No" votes and where this tendency to vote "Yes" without careful consideration can be corrected.

The order was passed under suspension of the rule.

SPORTS PROGRAM, HYDE PARK GOLF COURSE.

Coun. NORTON offered the following:

Ordered, That his Honor the Mayor consider the advisability of taking immediate steps to arrange for a winter sports program on the Hyde Park Golf Course so that the plan can be put into operation this coming winter.

Coun. NORTON—Mr. President, the winter sports business is getting to be one of the great businesses of America, and thousands of Bostonians spend their money engaging in winter sports in other states. We can keep much of that money right here in Boston by arranging a winter sports program on the George W. Wright Golf Course, Hyde Park. Mayor Tobin, who has shown a friendly interest from the start, has had a survey made and I understand that experts recommend that the No. 1 fairway be made into a skating rink, that a double toboggan slide be placed on the sixteenth fairway and skiing be arranged for on nearby hills. I respectfully request that his Honor the Mayor start the program as soon as possible so that the plan will be in operation this winter.

The order was passed under suspension of the rule.

THANKS TO SPONSORS OF BOOK FAIR.

Coun. NORTON offered the following:

Resolved, That the Boston City Council acknowledge with gratitude the splendid work of the Boston *Herald*, the Board of Trade of Boston Book Merchants, trustees and employees of the Boston Public Library, and all other cooperating agencies in bringing to Boston the so-called "Book Fair," which allowed thousands of Bostonians to view the latest of books on all subjects and to have the distinct and special privilege of listening to eighty national and internationally renowned authors.

The resolve was passed under suspension of the rules.

POSTPONEMENT OF SALE OF TAX TITLE PROPERTY.

Coun. CAREY offered the following:

Ordered, That his Honor the Mayor be requested to ask the City Collector to postpone sale of 1937 tax title property until such time as the Board of Assessors has had an opportunity to pass on abatements for the year 1937.

Coun. CAREY—Mr. President, we all know how many of our citizens have been agitated in the last few days over the word sent out by the City Collector that the 1937 taxes must be immediately paid, or the properties will be advertised and sold immediately. We all know what hardship this will cause in many cases to widows, those on W. P. A. and others, who are still awaiting a report as to whether an abatement is to be granted. In view of the fact that they have claimed an abatement and are still waiting for the decision, I think in fairness to them no sale for taxes should be held until the Board of Assessors has had a chance to meet and render its decision.

The order was passed under suspension of the rule.

Adjourned at 6.03 p. m., on motion of Coun. ROSENBERG, to meet on Monday, November 28, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 28, 1938.

Regular meeting of the City Council in Faneuil Hall at 2 p. m., President KERRIGAN in the chair. Absent, Coun. Irwin.

APPOINTMENT OF CONSTABLE.

Notice was received from the Mayor of appointment, subject to confirmation by the Council, of the following:

Constable for term ending April 30, 1939: Samuel Goldkrand, 27 Howland street, Roxbury, Ward 12.

Laid over a week under the law.

NUMBER OF TEN AND FIVE CENT FARES.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway concerning your order of November 14, 1938, relative to the number of ten-cent fares and five-cent fares collected annually by the Boston Elevated during the past five years.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
Boston, November 22, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In accordance with request contained in order of the City Council accompanying your letter of November 18, I inclose statement showing for the past five years total revenue passengers, five-cent passengers (not including pupils' tickets) and the per cent of five-cent passengers.

Very truly yours,
EDWARD DANA,
President and General Manager.

PER CENT OF FIVE-CENT PASSENGERS.

| YEAR. | Five-Cent Passengers.* | Total Revenue Passengers. | Per Cent of Five-Cent Passengers. |
|-----------------------|------------------------|---------------------------|-----------------------------------|
| 1933..... | 60,309,151 | 267,845,429 | 22.51% |
| 1934..... | 64,943,176 | 277,034,175 | 23.44% |
| 1935..... | 68,881,593 | 280,402,526 | 24.57% |
| 1936..... | 77,140,864 | 296,180,666 | 26.05% |
| 1937..... | 80,477,621 | 296,397,493 | 27.15% |
| 1938 (10 months)..... | 67,887,219 | 239,358,174 | 28.35% |

* Not including pupils' tickets.

FIVE-CENT FARES.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway relative to your order of November 14, 1938, concerning the five-cent fare.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
November 22, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—Since writing your letter of November 14, you have probably been informed that, acting upon the request of representatives of ten cities and towns served by the railway, the trustees voted to postpone the discontinuance of five-cent local rides which were scheduled to be effective for a trial period beginning Saturday, November 19. This action of the trustees followed a conference between representatives of the railway and of ten of the cities and towns served by the railway.

The request for postponement was made by representatives of the cities and towns in order that they may meet and cooperate with the trustees to accomplish in some other manner, if possible, the desired result — a reduction in the annual deficit of the railway which is assessed upon the taxpayers in the area served. They realize that the trustees need active assistance in this important matter and that concerted action by those most concerned would seem to be the most logical method to pursue in the attempt to produce the desired result.

The trustees were extremely reluctant to propose elimination of the local fare rides and acceded to the request of the representatives of the cities and towns.

Very truly yours,
EDWARD DANA,
President and General Manager.
Placed on file.

"STOP" SIGNS, GREENBRIER AND DAKOTA STREETS.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of November 14, 1938, concerning the installation of "Stop" signs at the intersection of Greenbrier and Dakota streets, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, November 22, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have the honor to acknowledge receipt of Council order dated November 14, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install "Stop" signs at the intersection of Greenbrier and Dakota streets, Ward 15."

Our experience with "Stop" signs in locations comparable to this one has been very unsatisfactory. We have noted that in every case where these signs have been installed motorists who

habitually use the main street become aware of the fact that motorists entering from the side streets are supposed to stop before proceeding through the intersection and, consequently, drive past the intersection at higher rates of speed than obtained previous to the erection of the sign. This practice has invariably resulted in increasing the number of accidents occurring at these intersections.

A case in point is the intersection of Adams street and Ashmont street, Dorchester, where we erected "Stop" signs in compliance with an executive order during 1937. The accident frequency at this intersection has almost doubled since the signs were installed.

It is our opinion, therefore, that "Stop" signs should not be erected in the intersection of Greenbrier street and Dakota street, Dorchester.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

PARKING, ROSLINDALE SQUARE.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of November 14, 1938, concerning the making of a survey of traffic conditions in the Roslindale square section with a view to providing proper parking facilities for persons who wish to shop in that area.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, November 22, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated November 14, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a survey of traffic conditions in the Roslindale square section with a view to providing proper parking facilities for persons who wish to shop in that area."

The Roslindale square shopping area is roughly triangular in shape and is bounded by Corinth street, Belgrade avenue, South street and Washington street. Corinth street and South street, where most of the stores are, are both narrow one-way streets and are used by street cars. Despite the fact that a proper aid to the movement of traffic through this difficult area would be the prohibition of parking in both South street and Corinth street, this commission permits parking in both sides of both of these streets because it is reluctant to lessen the available parking area. In the entire area and the streets contiguous to it, there are but three parking prohibitions and these were adopted at the earnest behest of the Fire Department which requested that the parking prohibitions be much more extensive than those we granted.

The present rules prohibit parking in:
Birch Street.

Northwest side, from Corinth street to South street, twenty-four hours.

Cohasset Street.

Southeast side, from Corinth street to Albano street, twenty-four hours.

Poplar street.

West side, from Washington street to Sycamore street, twenty-four hours.

It would appear, therefore, that no action by this commission could provide more ample parking facilities in the public streets in this section. The only alternative proposition would be for the city to rent or purchase land to be converted into a public parking space.

We do not believe that it is a proper function of this commission at this time to recommend the latter action.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

ROBERT STREET BRIDGE, ROSLINDALE.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of November 14, 1938, concerning the making of immediate repairs to the Robert Street Bridge in Roslindale.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
November 26, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received copy of the following order that was passed in the City Council on November 14, 1938:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to take up with the officials of the New York, New Haven & Hartford Railroad Company the matter of making immediate repairs to the Robert Street Bridge in Roslindale."

I have had an investigation made at this location and have written the following letter to the division engineer of the New Haven Railroad relative to this matter:

"W. D. Warren, Division Engineer, New York, New Haven & Hartford Railroad, South Station, Boston, Mass.

Dear Sir,—During and subsequent to wet weather, water seeps through the wooden platforms of the Robert Street Bridge, Roslindale, and drops onto the street and sidewalk areas in Robert street, to the annoyance and discomfort of pedestrians and motorists.

This condition should be remedied before cold weather, to prevent hazards that would exist due to freezing conditions. I believe that the platforms could be waterproofed by one of several methods, at a small cost.

Immediate repairs would promote good will for the New Haven Road with the residents, as this condition has become a popular subject for discussion with residents in that vicinity, and I feel that it would be to the advantage of the New Haven Railroad to have this condition remedied at once.

I shall appreciate a reply at your earliest convenience.

Yours very truly,
(Signed) GEORGE G. HYLAND,
Commissioner of Public Works."

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

RESURFACING GREENOCK STREET, DORCHESTER.

The following was received:

City of Boston,
Office of the Mayor, November 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Commissioner of Public Works relative to your order of November 14, 1938, concerning the resurfacing with smooth pavement Greenock street, Dorchester, Ward 14, under W. P. A. type of construction.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
November 26, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received copy of the following order that was passed in the City Council on November 14, 1938:

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

to resurface with smooth pavement Greenock street, Dorchester, Ward 14, under W. P. A. type of construction."

We shall have the resurfacing of Greenock street included in our W. P. A. construction program for 1939.

Respectfully yours,
 GEORGE G. HYLAND,
 Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Chester Broad, for compensation for injuries caused by an alleged defect in Jeremiah Burke School.

Eleanor B. Buck, for compensation for injuries caused by an alleged defect at Boylston and Fairfield streets.

Austin W. Cheever, for compensation for damage to elevator at 464 Beacon street, caused by water being shut off.

Delia Curran, for compensation for injuries caused by an alleged defect at 35 East Newton street.

Charles Goldberg, for compensation for damage to property at 9 Greenwood street, caused by city employee.

Alexander G. Gould, for compensation for damage to car caused by an alleged defect at 1933 Beacon street.

Bridget M. Keenan, to be paid wages due her while matron in Police Department.

P. Lupton, for compensation for damage to car by city truck.

Mary M. McDonald, for compensation for damage to property at 16 Ashford street, caused by falling tree.

Alma Oxford, for compensation for damage to property at 24 Whitney street, caused by hacking up of sewage.

Mrs. Viggo D. Petersen, for compensation for injuries caused by an alleged defect in Hyde Park avenue.

Evelyn Silverman, for compensation for injuries caused by an alleged defect at 13 Hudson street.

Frank Ventresca, for compensation for injuries caused by city car.

Peter J. Demers, for compensation for damage to car caused by an alleged defect at 35 Radcliffe road.

John A. Doherty, for refund on refuse tickets.

Executive.

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

Ruth Taylor, at Copley-Plaza, December 17.

On motion of Coun. FITZGERALD, leave was granted under the usual conditions.

Committee on Ordinances.

Petitions of Capitol Oil Company for permit for driveway opening at 1395 Columbus avenue.

MINORS' LICENSES.

Applications for permits were received from ninety-nine newshoys and three hootblacks for minors' licenses.

Licenses granted on usual conditions.

CONSTABLE'S BOND.

The constable's bond of Abraham M. Hecht, having been duly approved by the City Treasurer, was received and approved.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor November 21, 1938, of Ralph E. Hewitt,

Nicholas Ciaramella, Harold Dinsfriend and Luigi Tempesta, to be Weighers of Coal.

The question came on confirmation. Committee, Coun, Agnew and Galvin. Whole number of hallots 15, yes 14, no 1, and the appointments were confirmed.

APPLICATIONS FOR WIDOWS' ABATEMENTS.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to act forthwith on all 1937 applications for widows' abatements now pending before the Board in order that these properties will not be entered in the list of parcels of property to be advertised for tax title sale.

Coun. ROSENBERG—Mr. President, it appears that there are before the Board of Assessors at the present time many applications for abatements from persons who are considerably upset at the amount they have been assessed for taxes, particularly widows and others in straitened circumstances who need aid and relief. It seems that a number of these cases of requested abatement have been pending for some time, not having been acted upon, and that now it is proposed to advertise for sale these properties before such action is taken. It can readily be seen that this is a cause of worry and strain on the home owners. I think, therefore, we should pass an order like this, requesting the Board of Assessors, through the Mayor, to act forthwith on all the 1937 applications for widows' abatements particularly, now pending before the Board, in order that before these abatements are even considered the property concerned shall not be advertised for tax title sale. If such action is taken by the Board of Assessors, it may relieve much of the worry and strain now existing, as well as saving the expense of advertising and the humiliation that would result from it.

Coun. WILSON—Mr. President, I thoroughly agree with what the gentleman has said, but would point out that, unless we can obtain some real degree of cooperation between the Assessing Department and the Collecting Department, the chances are that nothing will be done. It would really appear necessary to consolidate those departments, because it is grossly unfair to citizens of Boston to have the Collecting Department advertise property of widows and others in seriously straitened circumstances for sale while petitions for abatement on such property are pending. The fact that such a situation can exist proves to me that there is a lack of cooperation between the Collecting Department and the Assessing Department of the City of Boston. It would appear that those two departments should be consolidated, to ensure needed cooperation.

Coun. FITZGERALD—Mr. President, I wish to add a few words to what has been said by the gentleman from Ward 14 (Coun. Rosenberg). Last week, following our attempt on Monday to help out the poor people in this matter, some newspapers tried to chastise members of the City Council for such action, practically saying that we were a lot of cheap politicians and in our action of last Monday were not looking out for the interests of the people of Boston; that we particularly did not have in mind the interest of those who do pay their taxes and are penalized because others do not. I wish to say, Mr. President, as one who took part in that debate, that I did so as one who has always paid his taxes, who has always been on the other side from these people who in such times as the present are having such difficulty in meeting their obligations. I speak as one who deeply sympathizes with those who, because of pressure of circumstances, find themselves in such a difficult situation at the present time. Therefore, I want to say that I am interested in the order offered by the gentleman from Ward 14, and trust that it will pass and that some action will be taken under it. I have here today a bill assessed upon a poor woman on Staniford street in the West End, whose husband was a Spanish War veteran. Anybody who knows that street knows how the property upon it has run down, knows how the street from being a residential street has become chiefly an avenue for motor traffic, being one of the streets leading to the North Station. The property on that street, in other words, is similar to much of the lodging house property in the South and West Ends.

This is a case of a hard-working woman who has extreme difficulty to keep going with her property in that neighborhood under the changed conditions. She has a great deal of trouble at times in getting paid for her rooms. She is a woman fifty-five or sixty years of age, and if she is unable to meet the demands of the city she will undoubtedly lose her property and be thrown out on the street. The Boston *Herald* in its editorial the day after our meeting said:

"Why not a little sympathy for those Bostonians who, year after year, come through with their tax money—often at the cost of considerable self-deprivation—and then have to pay interest on the money the city borrows to make up for the deficit caused by the delinquents? This concentrates virtually all the community's concern on the troubles of the sorely pressed minority, while giving virtually no heed to the problems of the majority."

Well, I would like to say simply this. The bill against this woman on this property was \$309, upon which she has paid at intervals \$55, \$45, \$65 and \$10, showing an earnest endeavor to meet her obligations so far as the city is concerned. While we are giving the consideration we do to those on welfare, in the matter of food, coal and otherwise, why not extend some consideration to people in this situation who are badly up against it? To be sure, she has the title to this property, but she cannot eat bricks. She would be better off if she were on old age assistance, and wouldn't have any such cause of worry as she now has, with the threat of losing the property she has and being thrown out on the street. Certainly a Christian spirit should be shown in matters of this kind. I would like to read for the benefit of some of these criticizing papers a letter sent out in such a case to a property owner by our previous City Collector, John F. Doherty. The sympathetic feeling shown in this letter can be compared with the action proposed here at the present time:

"In checking over our records we find you are listed as the owner of the property at _____. The city holds tax title to the property for unpaid taxes. Within a short while the city will be instituting action in the Land Court to foreclose any rights you may have in the property. If you will call at the collector's office, I think arrangements may be made whereby you will be able to make payments in order to retain this property and thus save it for yourself.

Respectfully,

JOHN F. DOHERTY, City Collector."

That was John F. Doherty, the son of parents who were forced from Ireland at the time of the famine, and a man who has a heart and a deep feeling of sympathy for his fellowman. He knew what his mother and father had suffered, and his whole record from boyhood shows his sympathy and feeling for those in distress. And so I say in these matters at the present day we should show some consideration for those in different circumstances than ourselves. Why, gentlemen, in some cases these people have owed very small, infinitesimal amounts. Letters I have received show the suffering now endured by people who have been reputable citizens of this city, meeting all their obligations, for twenty years or over. And so I say my feeling towards these unfortunates is that of the man on the other side, who fortunately has been able to meet his bills and who has not had to suffer humiliation at the hands of the present City Collector. And I might also say at this point a word in regard to welfare. Of course, there has been no committee to look into the subject of welfare appointed under the present administration, but we are all familiar with the work of the committee that last year investigated welfare. I was on that committee, but its report, showing the need of further extension of welfare work, was not welcomed by the administration at that time. That, as I say, was under the previous administration. Not only was recognition not given to the report at that time, but James Baffe, who was active in the investigation for the Statistics Department, was removed from office and died with a broken heart. Now, Mr. President, I trust that the people of this city will not get the idea that I, for one, am befriending people who will not pay their taxes. In my attitude, I am pleading for those who are not as fortunate as the rest of us, I believe I am representing the feeling of those who do and have paid. I believe I am speaking also on behalf of men and women who want to pay, but cannot. I certainly feel, and I think the great body of taxpayers in this city feel,

that fair play should be shown to those who are laboring under difficulties at the present time, people who have entered petitions for abatement, which have not yet been passed upon. I believe they should be given an opportunity to receive such abatement, or to at least know what their legal position is before their property is advertised for tax sales. I feel that the assessors should act upon the abatement petitions more speedily, as the Tax Appeals Board acts upon matters coming before it. Taxpayers should also be informed what their rights are when such action is proposed, what their right of redemption will be. A man who is brought into court is fully informed of the charge against him and what his rights in the matter are. But these people cannot afford to hire an attorney, and, therefore, have to depend upon what is told to them by the city departments. Certainly, before drastic action is taken they are, at least, entitled to know their rights in the matter. And so, I repeat, as one who has fortunately always been able to meet his tax obligations, I speak for those who are not, and in doing so I believe I represent the feelings of the great body of those who are able to pay their taxes in this city. We should have some consideration for the hardships and the struggles of the other fellow, certainly those who are deserving and who are willing and anxious but unable to meet their tax obligations at the present time. Many of them have in the past been prosperous, have lived in their own homes, not paying rent, and those who have paid rent have been good tenants in the past but are now the victims of the unusual situation that at the present time is facing many in this community. I was talking last night to a man who brought me to task for defending the people who were not paying their taxes, for trying to defend widows and others who are unfortunate at the present time and are not able to meet this obligation. I said to him, "You, perhaps, have \$4,000 or \$5,000 in the savings bank now, for which you have been probably getting 4 or 4½ per cent, now down to 2 per cent, and in some cases not quite that. Don't you realize that when the banks foreclose on property they must pay the taxes, which results in a reduction of your dividend down to perhaps 2 per cent, because the banks have to meet this expense?" Just as soon as people in the community who do not own real estate realize, become aware of the fact that they are paying their proportion of this expense, that their property is being hit as well as that of the real estate owners, there will be trouble. You see, there is more than one side to this question, gentlemen.

The order was passed under suspension of the rule.

REPORT OF COMMITTEE ON JITNEY LICENSES.

Coun. AGNEW, for the Committee on jitney Licenses, submitted the following:

1. Report on petition of Peter Pan Bus Lines (referred November 14) for license to operate motor vehicles from Park square to Brookline line—recommending that license be granted.

Report accepted; license granted on usual conditions.

2. Report on petition of Johnson Bus Lines, Inc. (referred August 8), for license to operate motor vehicles from Dedham line to Park square—recommending that license be granted.

The question came on the acceptance of the report.

Coun. GALVIN—Mr. President, I move reference of that matter to the Executive Committee. I think we should be given information in regard to it.

The matter was referred to the Executive Committee.

RELIGIOUS UNITY DAY.

Coun. CHASE offered the following:

Resolved, That the Boston City Council, in meeting assembled, favors the observance of Sunday, December 4, as Religious Unity Day by all creeds, as suggested by William Randolph Hearst, as an opening offensive against atheism, paganism, and spiritual anarchy; and be it further

Resolved, That the Boston City Council commends William Randolph Hearst for his foresight and fairness in advocating religious equality for all.

Coun. CHASE—Mr. President, next Sunday, at the suggestion of William Randolph Hearst, priests, ministers, rabbis and laymen of all faiths will observe the day as "Religious Unity Day." I believe that this Honorable Body, which is composed of Catholic, Jew and Protestant members, should go on record as heartily in favor of Mr. Hearst's suggestion. The people of Boston and of America are composed of many races and faiths and it is a very timely suggestion that we Americans should show a united front to the extent that the whole world will know that we do not believe in the ungodly practices of Communism, Nazi-ism or any other Un-American "ism."

The order was passed under suspension of the rule.

RECESS.

The Council voted at 2.37 p. m., on motion of Coun. MURRAY, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 5.06 p. m.

REPAIRS TO CITY COUNCIL CHAMBER.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council promptly with reference to supposed repairs to the City Council Chamber in City Hall:

1. What work, if any, is now being done in the Council Chamber.

2. The last date on which any actual work was done in the Council Chamber at City Hall.

3. The cost of all work involving the City Council to date, with items and amounts.

4. The probable date when the Council Chamber will be again available for meetings of the City Council.

5. The total cost, to date, incident to the use of Faneuil Hall for meetings of the Boston City Council, with the various items of expense and the amount of each item.

Coun. WILSON—Mr. President, of course I am here striking a familiar note. A similar order has twice before been passed by the Council, last June and also about the first of October. I think it is about time that we received some information in regard to this matter, and I would ask that the City Auditor be invited down here next week, so that we may get some information from him, also. I had introduced the original order earlier in the year, realizing that some time might be required to furnish the information, and not desiring to wait until near the close of the year. But we have not received the information desired, to which I think the Council is entitled, and I am therefore introducing the order again.

The order was passed under suspension of the rule.

OUTDOOR PARKING SPACES.

Coun. WILSON offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to advise the City Council concerning each outstanding open-air parking space permit or license, as of November 30, 1938, in the City of Boston:

(a) The name of the licensee.

(b) The address location of the space.

(c) The number of square feet in the area licensed.

(d) The date on which such open-air parking space permit was first granted for such location.

(e) The license rate charged for the year 1938 for such space.

(f) The maximum number of cars allowed to be there stored under the terms of the present license and in accordance with the amount of the present license fee charged for such outdoor parking space.

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to at once adopt such regulations, as a condition of the annual granting of licenses to operate outdoor automobile parking spaces, as shall

1. Place a reasonable limit on the number of motor vehicles which may be parked in any given area.

2. Require reasonable and convenient means of entrance to and exit from all outdoor parking areas.

3. Require an acceptance by the licensee of reasonable liability for car theft or property damage.

4. Prevent unfair parking charge increases incident to Police Department activity in the enforcement of traffic regulations against parking on public streets. And further provide that failure by a licensee to comply with the conditions on which such outdoor parking license is issued shall automatically permit either temporary or permanent revocation of the license.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to at once draft a form for a new city ordinance which shall

1. Place a reasonable limit on the number of motor vehicles which may be parked in any given area, in connection with the granting of licenses by the Board of Street Commissioners for the operation of outdoor parking spaces.

2. Require reasonable and convenient means of entrance to and exit from all outdoor parking areas.

3. Require an acceptance by the licensee of reasonable liability for car theft or property damage.

4. Prevent unfair parking charge increases incident to Police Department activity in the enforcement of traffic regulations against parking on public streets. And further provide that failure by a licensee to comply with the conditions on which such outdoor parking license is issued shall automatically permit either temporary or permanent revocation of the license, as well as a penalty for any breach of such ordinance.

Coun. WILSON—Mr. President, I offer these three orders at this time, having in mind that satisfactory information has not yet been obtained by the City Council in regard to this matter, and feeling that, as the City Council will shortly pass on the general question of license fees, the passage of such orders now is certainly timely. I feel, also, that open-air parking in Boston has now reached a racket stage, that not only has it resulted in a destruction of downtown property, the ground space then being used for parking, in competition with the garages, but that the general attitude of the attendants at most of the outdoor parking spaces is not what it should be, as far as the general public is concerned. I have in mind, for instance, the outdoor parking space at the Hotel Bradford, where a sign announces in large letters that the charge for parking there is 25 cents. You leave your car there, and when you come back, perhaps in fifteen or twenty minutes, you find some very small lettering at the foot of the sign which says that after six o'clock the parking fee is 50 cents. I have in mind, also, the situation at the entrance of Fenway Park, where a small boy shouts "Parking fee, 25 cents," and you leave your car there and then find that the initial amount for parking is 50 cents. I have in mind, too, the situation in the vicinity of the North Station, and other sections of the city, where boys on the occasion of a hockey game or some public event, will simply take possession of city land and operate it as a parking space. I have also in mind the fact that at practically every open-air parking space in the City of Boston you are forbidden by the attendant to lock your car and take away the key, and if you insist on doing so, in order to prevent the possible stealing or mishandling of the car by some person, you are refused admission to the parking space. On most of the parking spaces you are obliged to leave the key in the car, in spite of the fact that you have no protection against thieving or injury to the car while it is being moved about, and in case there is any injury or damage to the car you find on your ticket that the parking-space people refuse to accept liability. I have seen scores of cars moved to other places by attendants with the mud guards jammed in or marked up, and you have no "come-back" so far as the parking space owners are concerned. You will find also that there is a license charge for a space accommodating fifty cars of \$40, and for 101 cars of \$100, but that no attention whatever is paid to the limitation of the number of cars in the area. An area that will hold fifty cars is supposed to be large enough to properly accommodate that number, and the same with the 100-car area, but you will find in each case a much greater number parked at times than the number supposed to be allowed, with consequent crowding and possible injury to the cars, along with the difficulty of getting in and out. No arrangement

whatever is made for getting cars out of the parking spaces in practically all the outdoor spaces in Boston. You will find twice or even three times as many parked there at times as are supposed to be covered by the license, with the consequent trouble and irritation that naturally goes with that sort of thing. I have personal knowledge of the situation down near the North Station, when I have left my car there and told the attendant that I would be back in half an hour, and when I came back my car had been moved so that there were at least five other cars in the way and also surrounding it on each side, so that I sometimes had to wait an hour until owners of the other cars had come and got them and given me a chance to get out. I believe from every point of view there should surely be proper space and room for ready exit and entrance in these parking spaces. That is a matter of public convenience, and it should be enforced. There should not be this overcrowding of the parking spaces in violation of the licenses, there should be proper fees charged and proper rules adopted, which the Police Department can see are enforced. There are all these questions I have brought up which should be properly settled, in the interest of fairness and convenience of the public and the proper control and running of these parking spaces. I believe, also, as is provided for in one of these orders, the Corporation Counsel should be requested, through the Mayor, to at once draft a form for a new city ordinance which shall place a reasonable limit on the number of motor vehicles which may be parked in a given area, and which will require reasonable and convenient means of entrance and exit, as well as an acceptance by the licensee of reasonable liability for car theft or property damage, and the prevention of unfair parking charge increases incident to Police Department activity in the enforcement of traffic regulations against parking on the public streets. Such an ordinance should also provide that failure by a licensee to comply with the conditions set forth shall automatically permit either the temporary or permanent revocation of the license, as well as a penalty for any breach of the ordinance.

Coun. SHATTUCK—Mr. President, I sympathize entirely with what the gentleman says in regard to the abuse of parking space licenses by the licensees. I believe such abuses should be removed. But I believe it took twenty seconds or more to read the orders, and I was not entirely clear as to their provisions. When it comes to establishing a policy of this kind, we should, at least, have the facts clearly in mind. Where we are to be put on record in such a matter we should have a little more information that we can obtain in the twenty seconds in which the orders are read.

Coun. WILSON—Mr. President, this is nothing new in the body. Roughly, as I remember, we asked the Board of Street Commissioners to take such action as is suggested by these orders in orders which were an exact duplicate, I believe, of those now offered, about a year ago. One order simply asks the Street Commissioners to advise the City Council concerning the parking spaces which are licensed, the name of the licensee, the location of the space, the number of square feet in the area licensed, the date on which the permit was first granted, the license rate charge for the year for such space, and the maximum number of cars allowed to be stored under the license. The second order asks the Street Commissioners to adopt such regulation as a condition of the annual granting of licenses as shall place a reasonable limit on the number of vehicles which may be parked in the area, require reasonable and convenient means of entrance and exit, and acceptance by the licensee of reasonable liability for car theft or property damage, and the prevention of unfair parking charges; while the third order requests the Corporation Counsel to draft a form for a new city ordinance which shall place a reasonable limit on the number of motor vehicles which may be parked, require reasonable and convenient means of entrance and exit, acceptance by the licensee of reasonable liability for car theft or property, and which will prevent unfair parking charge increases, with punishment for violation of the terms of the license. That, Mr. President, is all that there is to these orders, which have been brought up before and which I think the members must understand. There is not very much time now left in the year and if something is to be done, I feel that action should now be started.

The orders were passed under suspension of the rule.

BILL FOR DEMOLITION OF ATLANTIC AVENUE STRUCTURE.

Coun. WILSON offered the following:

Ordered,—supplementing an order unanimously passed by the City Council on November 21, 1938,—That the Corporation Counsel of the City of Boston, through his Honor the Mayor, be requested to at once prepare a bill, to be filed with the Massachusetts Legislature, and take all steps necessary or advisable under the law, to provide for prompt demolition of the entire Atlantic avenue elevated structure, or, in the alternative, to provide for partial demolition of said structure and the construction of an overhead runway from the vicinity of Broadway, over the Boston & Albany tracks, with an overpass in Dewey square, and a continuation of such overhead runway, not to the congested area at the North Station, but to some point in the vicinity of Rowe's Wharf and Broad street, together with the possible continuation of Cross street through the Quincy Market Cold Storage Warehouse to Atlantic avenue.

Further Ordered, That a copy of this order be at once delivered by messenger to the office of the Corporation Counsel in view of the fact that possible statutory requirements may call for publication as early as the present week.

Coun. WILSON—In offering this order at this time, I might say that last week the Council was kind enough to unanimously pass an order I introduced, requesting the Corporation Counsel to prepare a bill for the Legislature with reference to the demolition of the Atlantic avenue structure, the operation of which by the Boston Elevated was, I believe, abandoned on October 3. It has been called to my attention that there is some opposition in Boston to the demolition of the entire structure, and the excellent suggestion has been made that a part of the elevated structure might be used for an overhead two-line highway, thereby relieving traffic on the surface of the street. Therefore, in drafting this order I had that possibility in mind. I am informed from sources I consider correct that the elevated structure is strong enough to support such a two-line traffic overhead highway. I bear in mind, however, in connection with the introduction of such a proposed bill into the Massachusetts Legislature that, if I am correctly informed, it must be publicly advertised once a week for three weeks, the advertising to be finished fourteen days before the first of January. Therefore, I thought it well to have it brought to the attention of the Corporation Counsel immediately, so that no time would be lost. That is especially important now, in view of the fact that the Legislature may meet only once in a two-year period, and if we are to meet the time requirements the order should be passed this week. It is very important that the action here be taken, as it provides for demolition of the structure, or, in the alternative, partial demolition, with construction of an overhead runway from the vicinity of Broadway over the Boston & Albany tracks, with an overpass in Dewey square, and a continuation of the overhead runway to a point beyond. It seems necessary, therefore, that action be taken some time in the current week.

President KERRIGAN—The Mayor has to sign the order, so that the second order is stricken out unless objection is made.

Coun. WILSON—I have asked that a copy be forwarded to Mr. Parkman because I realize that the "mills of the gods grind slowly," that the lapse of time I have referred to is necessary in connection with the preliminaries before a bill is forwarded to the Legislature and that the thing should be started before the close of the current week.

Coun. SHATTUCK—Mr. President, the gentleman explained that his order relates to tearing down a part of the overhead structure and retaining a part of it as a super-highway and an overpass. But I understand also that there was something said about Cross street in the order.

(The clerk read the order.)

Coun. SHATTUCK—With reference to Cross street, I did not quite get that the first time the order was read. But it seems that, in addition to the demolition of the whole or a part of the Atlantic avenue elevated structure, there is also provision for construction of an overhead passage from the vicinity of Broadway, an overpass in Dewey square, and a possible continuation of Cross street through the Quincy Market Cold Storage Warehouse to Atlantic avenue. I remember some time ago, when I was in the Legislature,

that the matter came up in connection with the proposed circumferential highway, and at that time, ten years ago, I helped to kill that. It would have cost \$40,000,000, along with considerable land damages, and would not have helped traffic to any great extent. It seems that there is now an attempt here to lug in that street widening in connection with this demolition of the Atlantic avenue elevated structure, and I think we should go slow on it. We should certainly know something more about it.

Coun. WILSON—If the gentleman will yield, Mr. President, as far as I am concerned I have no objection to striking out the words "together with the possible continuation of Cross street through the Quincy Market Cold Storage Warehouse to Atlantic avenue."

Coun. SHATTUCK—Mr. President, I move that that amendment be made.

The amendment was adopted, and the order as amended was passed under suspension of the rule.

REDUCTION OF DOG LICENSE FEES.

Coun. WILSON offered the following:

Ordered, That the City Council Committee on License Fees be requested to consider the advisability of reducing the present cost of annual dog licenses one half.

Coun. WILSON—Mr. President, I think this is a matter that should be referred to the Committee on Licenses. I have in mind the fact that the average youngster is quite apt to have a dog, and when you have a dog license charge of \$2 or \$5 it is beyond his reach. The important thing is to show a piece of paper to make it clear that a dog is not an outlaw on the highways. It occurs to me, therefore, that no harm would be done by reducing the dog license fee to a figure within the reach of the average Boston youngster.

The order was referred to the Committee on Licenses.

WINTER SPORTS, GEORGE W. WRIGHT GOLF COURSE.

Coun. NORTON offered the following:

Ordered, That the Park Commissioner, through his Honor the Mayor, be requested to consider the advisability of immediately flooding a section of the George W. Wright Golf Course, Hyde Park, for skating purposes and that provisions be immediately made for adequate toboggan slides, skiing and other winter sports.

Coun. NORTON—Mr. President, I understand that the Mayor of Boston is favorable at the present time to action which will improve winter sport conditions in the City of Boston, and this order is introduced with that end in view. I trust that it will be passed.

The order was passed under suspension of the rule.

SALE OF LAND TO EMMA D. JENKINS.

Coun. NORTON offered the following:

Ordered, That the Boston City Council approve the sale of a strip of city land 5 feet wide and 111 feet in length to Emma D. Jenkins, of 290 West street, Hyde Park, provided said sale meets with the approval of the Park Commissioner, Corporation Counsel and Mayor of Boston.

Coun. NORTON—Mr. President, in connection with the order I would like to have placed in the record these letters:

City of Boston,

Law Department, November 22, 1938.

William P. Long, Esquire, Chairman, Park Department.

Dear Mr. Long,—Your letter, wherein you refer to the selling of a portion of the premises taken for the George Wright Golf Course, has been received by me.

This golf course was taken by a resolve and order of the Board of Street Commissioners, approved by the Mayor of Boston December 2, 1930, and recorded December 6, 1930, with Suffolk Deeds, Book 5230, page 581. It was taken for playground and public golf course purposes.

Section 15, chapter 40, of the General Laws (Ter. Ed.) provides:

"If any officer of a city or town having charge of any land, easement or right taken for such city or

town, otherwise than by purchase, notifies the city council or the selectmen that, in his opinion, such land, easement or right, or part thereof, is no longer required for public purposes, and if thereafter the city council or the inhabitants of the town by a two thirds vote authorize the conveyance of such land, or of part thereof, of the abandonment of such easement or right, or part thereof, and specify the minimum amount to be paid for such conveyance or abandonment, the mayor or the selectmen may, for such amount or a larger amount, and upon such other terms as the mayor or selectmen shall consider proper, convey said land, or part thereof, by deed, or declare said easement or right, or part thereof, to be abandoned. Such declaration, being recorded in the registry of deeds for the district where the land is situated, shall extinguish the easement or right."

I am, therefore, of the opinion that if the 111 feet of land mentioned in your letter are no longer needed for public purposes that they may be sold by an order of the City Council, drawn in accordance with the above quoted section. It will be necessary, however, to have the said order read twice, with fourteen days intervening between the said readings, in order to observe the provisions set down in the City Charter of the City of Boston for the sale of land.

Very truly yours,

HENRY PARKMAN, JR.,

Corporation Counsel.

City of Boston,

Park Department, November 25, 1938.

Clement A. Norton,

City Councilor.

Dear Councilor,—I am inclosing a copy of a letter I sent to Hon. Henry Parkman, Corporation Counsel, referring to the selling of a portion of land at the George Wright Golf Course to your constituent, about whom you wrote me October 11, 1938.

I am also inclosing copy of letter from the Corporation Counsel relative to same, which is self-explanatory.

If you see fit to put this order through the Council, I can make the necessary arrangements to transfer the land.

I desire to inclose our entire golf course with a stone wall at the earliest possible moment, and we have either got to sell this same piece of land spoken of (which we really have no use for) or build the wall and shut off this entrance to the man's garage.

Very truly yours,

WILLIAM P. LONG, Chairman.

City of Boston,

Park Department, November 14, 1938.

Hon. Henry Parkman, Jr.,

Corporation Counsel.

Dear Henry,—At the George Wright Golf Course, West street, Hyde Park, we have approximately 150 acres of land. Emma D. Jenkins is the owner of the property at 290 West street, Hyde Park, and the golf course surrounds same.

Mr. Ulric B. Jenkins, husband of Emma D. Jenkins, wishes to obtain a strip of land 5 feet wide and 111 feet in length in order to widen their lot, as it is practically impossible to construct a driveway on the property to reach a garage in the rear.

In building the house the front entrance was located too far out on the property, which means that he is now using our land to cross into the rear.

We originally paid from one and a half to two cents for all the area. This particular lot is assessed for six cents per square foot—the valuation thus being about \$33. He is offering a flat price of \$50 for this land.

As we wish to inclose our property with a stone wall, and we have so much land in that immediate vicinity which we are not using, I am inclined to grant the man's request.

Will you kindly inform me whether or not it will be necessary to go to the Legislature and state that we no longer need this land for park purposes, or whether we can make arrangements, through the Mayor and City Council, to dispose of the 111 feet of land.

Very truly yours,

WILLIAM P. LONG, Chairman.

The order was referred to the Committee on Public Lands.

POSTPONEMENT OF SALE OF PROPERTY.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor request the City Collector to refrain from advertising for sale the property of home owners who have paid 50 per cent of the 1937 taxes and who will agree to make monthly payments to take care of the balance before the expiration of the two-year limit set by law for the advertising of said properties.

Passed under suspension of the rule.

COMPENSATION OF SUPERVISORS AT STATE ELECTION.

Coun. CHASE offered the following:

Ordered, That the compensation of the supervisors appointed for the State Election November 8, 1938, be fixed at \$5 each for those supervisors who qualified and actually served at said election.

Passed under suspension of the rule.

TRAFFIC SITUATION ON CHELSEA STREET.

Coun. GALVIN offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a survey of the hazardous traffic situation on Chelsea street, between Bunker Hill street and the Chelsea Bridge, with the view of arranging for some means of separating the highway into traffic lanes, and thereby curtail the large number of accidents now prevalent at this point.

Passed under suspension of the rule.

REMOVAL OF ELEVATED TRACKS, CHELSEA STREET.

Coun. GALVIN offered the following:

Ordered, That the trustees of the Boston Elevated Railway be requested, through his Honor the Mayor, to remove the tracks from Chelsea street, from Bunker Hill street to the Chelsea Bridge.

Passed under suspension of the rule.

TRAFFIC LIGHTS, ELM AND BARTLETT STREETS.

Coun. GALVIN offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to arrange for the installation of traffic signal lights at the corner of Elm and Bartlett streets, Ward 2.

Passed under suspension of the rule.

ELECTION TO FILL CITY COUNCIL VACANCY.

President KERRIGAN offered the following:

Ordered, That meetings of the citizens of Ward 8 qualified to vote for city officers be held, at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, February 14, 1939, to give in their votes for one member of the City Council from said ward, 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 according to law.

Passed under suspension of the rule.

Adjourned at 5.45 p. m., to meet on Monday, December 5, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 5, 1938.

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

JURORS DRAWN.

Jurors were drawn under the law, Coun. SHAT-TUCK presiding at the box on the first venire and Coun. TAYLOR on the second and third, as follows:

Twenty-two grand jurors, Superior Criminal Court, to appear January 3, 1939:

William P. Kelley, Ward 1; Frederick P. Depner, Ward 2; Michael J. Desmond, Ward 2; Edward Lemack, Ward 3; Everett E. Tripp, Ward 4; John J. Steele, Ward 5; Joseph W. Yagmin, Ward 6; William R. Ahearn, Ward 7; Everett J. Finley, Ward 7; Albert P. McCulloch, Ward 7; Samuel F. Prescott, Ward 7; Howard F. Fillebrown, Ward 13; Benjamin Rothenberg, Ward 14; Frank J. Campbell, Ward 15; James McDonald, Ward 17; William Roggemans, Ward 17; Arthur W. Stranger, Ward 17; William W. Sall, Ward 18; Leander Payson, Ward 20; Frank Burgess, Ward 21; Raymond A. O'Shea, Ward 21; George L. Skinner, Ward 22.

Eighty-four traverse jurors, Superior Criminal Court, to appear January 3, 1939:

Carl Christoforo, Ward 1; Edwin N. Coffee, Ward 1; Henry O'Keefe, Ward 1; John F. Shea, Ward 1; Francis J. Carr, Ward 2; Edward H. Thompson, Ward 2; John F. Aylward, Ward 3; Warren J. Kenney, Ward 3; Daniel L. Roberts, Ward 3; Clifford F. Ellis, Ward 4; John A. Lindquist, Ward 4; Ralph W. Longfellow, Ward 4; Albert MacLean, Ward 4; William H. Ryan, Jr., Ward 4; Berthold Brown, Ward 5; Ernest J. Hickey, Ward 5; J. Harleston Parker, Ward 5; James J. Quirk, Ward 5; John Brooks Wheelwright, Ward 5; John J. Doyle, Ward 6; Edward Smallcomb, Ward 6; Julius Sykes, Ward 6; Raymond P. Wheeler, Ward 6; Peter Healy, Ward 7; Arthur H. Trower, Ward 7; Henry P. Collins, Ward 8; Percy Day, Ward 8; Peter D. Makrey, Ward 8; John J. Kenney, Jr., Ward 9; James O'Neil, Ward 9; John J. Conroy, Ward 10; Joseph G. Mahoney, Ward 10; Rodney D. Ord, Ward 10; William A. Shack, Ward 10; Thomas W. Flanagan, Ward 11; John H. McDevitt, Ward 12; Charles J. Bradley, Ward 13; William J. Carroll, Ward 13; Thomas J. Mahoney, Jr., Ward 13; Frank V. O'Connor, Ward 13; John Cohen, Ward 14; Abraham L. Daven, Ward 14; Frank G. Doherty, Ward 14; Myer J. Goldsmith, Ward 14; Harry Haas, Ward 14; Arthur M. Rose, Ward 14; Lester H. Shubert, Ward 14; Isadore Wolff, Ward 14; William J. Edwards, Ward 16; James A. O'Rourke, Ward 16; Maurice J. Shea, Ward 16; William J. Berlo, Ward 17; Abraham Clarke, Ward 17; Richard E. Coughlin, Ward 17; William H. Crocker, Ward 17; Charles E. Fritsch, Ward 17; John S. Hawkins, Ward 17; Joseph A. Hayes, Ward 17; James Alfred McDonald, Ward 17; Elmer F. Morse, Ward 17; Paul E. Roach, Ward 17; Henry E. Sullivan, Ward 17; Edwin J. Agnew, Ward 18; Maurice J. Angland, Jr., Ward 18; George C. Cole, Ward 18; Timothy Fleming, Ward 18; John R. Gundry, Ward 18; James A. McKenna, Ward 18; Frank Morin, Ward 18; Harold F. Nightingale, Ward 18; John P. Waterman, Ward 18; Alfred J. McCormack, Ward 19; Bernard W. Stark, Ward 19; Harry L. Fitzherbert, Ward 20; Gerald V. Lally, Ward 20; James J. Roche, Ward 20; Joseph N. Brackett, Ward 21; William J. McHenry, Ward 21; Paris R. Pierson, Ward 21; Hugh F. Taylor, Ward 21; Alfred E. Vytal, Ward 21; John A. Kelly, Ward 22; George J. Kenely, Jr., Ward 22; John J. Wall, Jr., Ward 22.

Eighty traverse jurors, Superior Civil Court, January Sitting, to appear January 3, 1939:

John E. Barrett, Ward 1; Giovanni Bosco, Ward 1; William M. Cohan, Ward 1; Charles B. Finney, Ward 1; Matthew T. Hoey, Ward 1; Jack M. Kushner, Ward 1; Rocco P. Maly, Ward 1; William H. Quigley, Ward 1; Joseph P. Salerno, Ward 1; Francis A. Thornton, Ward 1; Arthur J. Abbott, Ward 2; John Harrison, Ward 2; Timothy M. Kelly, Ward 2; John A. Mahagan, Ward 2; John O'Donnell, Ward 2; John B. Cromwell, Ward 3; Joseph McIntyre, Ward 3; Thomas D. O'Donnell, Ward 3; Samuel Parella, Ward 3; Joseph Frank Cove, Ward 4; Howard U. Gillett, Ward 4; Lewis W. Parker, Ward 4; Isaac Rains, Ward 6; Raymond A. Young, Ward 6; John Cronin, Ward 7; Albert D. Darneko, Ward 7; Harold W. Higgins, Ward 7; Robert B. Ottley, Ward 7; David S. Shaw, Ward 7; James Toohey, Ward 8; Francis X. Brown, Jr., Ward 9; Francis X. McLaughlin, Ward 9; William D. Crowley, Ward 10; John L. Mahoney, Ward 10; Edward W. Meade, Ward 10; Joseph P. McIsaac, Ward 10; Walter T. Hassett, Ward 11; Morton L. Mintz, Ward 11; Harrison McDonald, Ward 12; Harry C. McIntosh, Ward 12; Joseph Price, Ward 12; William F. Fall, Ward 13; James A. Noble, Ward 13; Stanley Sarzynski, Ward 13; Norman B. Skidmore, Ward 13; Patrick J. Traynor, Ward 13; Charles P. Carney, Ward 14; Hyman Cohen, Ward 14; Willmore F. Holbrow, Ward 14; Roland W. Manual, Ward 14; Moses Schneiderman, Ward 14; Thomas L. Sexton, Ward 14; Mark Woodell, Ward 14; Thomas H. Kilcoyne, Ward 15; Albert G. Chartrand, Ward 16; John A. Graham, Ward 16; Harold G. McGowan, Ward 16; John C. McSweeney, Ward 16; Bernard J. Rooney, Jr., Ward 16; David B. Edmonds, Ward 17; Thomas Chisholm, Ward 18; George W. Gerrard, Ward 18; Roy W. Jackson, Ward 18; John White, Ward 18; John H. Byrnes, Ward 19; Thomas F. Glynn, Ward 19; William P. Grady, Jr., Ward 19; James E. Graham, Ward 19; Edwin Leonard Palmborg, Ward 19; Richard F. Brauer, Ward 20; Ludwig W. Kopp, Ward 20; Almon O. Austin, Ward 21; Salisbury S. Collinson, Ward 21; John F. Good, Ward 21; J. H. Newman Mullen, Ward 21; George MacDonald Searle, Ward 21; John T. Helfer, Ward 22; Daniel J. McDonald, Ward 22; Paul McNamara, Ward 22; William H. Muldoon, Ward 22.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the Council, the Mayor submitted the following appointments, viz.:
Weighers of Coal: George Lea, 16 Valley Beach avenue, Hull, Mass.; James Coldiron, 55 Clifford street, Dorchester, Mass.

Weigher of Goods: Laurence C. Malo, 5 Cope-land place, Roxbury, Mass.

Severally laid over a week under the law.

DEPRECIATION, ATLANTIC AVENUE
ELEVATED STRUCTURE.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway relative to your order of November 14, 1938, concerning:

1. The amount annually charged off for depreciation and/or obsolescence each year since public control of the road, and also the amount each year during the ten years preceding public control.

2. The annual amount included in the above which has been charged off either for depreciation or obsolescence relating to the Atlantic avenue elevated structure.

3. The date on which the service was discontinued on the Atlantic avenue elevated structure.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Elevated Railway,
November 28, 1938.

Mr. William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your letter of November 18, I am inclosing a statement which contains the

information requested in order of the City Council, namely, the amount charged annually for depreciation or obsolescence since public control and during the ten years preceding public control; total depreciation accrued to the Atlantic avenue section of the elevated structure since public control and for the period from September 30, 1908, to June 30, 1918, prior to public control; and date on which Atlantic avenue elevated service was discontinued, since which date there has been no charge for depreciation for the Atlantic avenue elevated structure.

The charge for depreciation which enters into the annual cost of service has been greatly misunderstood and frequently criticized.

The reason and necessity of an allowance for depreciation is obvious. Property wears out no matter how well maintained.

In order that in the interest of good service this need for replacement of worn-out property should not be neglected as it had been during the years of private operation, the Public Control Act of 1918, section 13, states:

"It shall be the duty of the trustees to maintain the property of the company in good operating condition and to make such provision for depreciation, obsolescence and rehabilitation, that, upon expiration of the period of public management and operation, the property shall be in good operating condition."

The total road and equipment account and miscellaneous physical property of the Elevated amounted on December 31, 1937, to \$110,987,759.59 (page 31, Annual Report 1937).

Of this total property no depreciation was charged in 1937 on the following:

| | |
|----------------|---|
| \$8,630,509 76 | Property which has exceeded its estimated useful life but had not yet been retired. |
| 7,799,469 62 | Land. |
| 15,315,955 35 | Items upon which no current depreciation is accrued, including surface and elevated tracks. |
| 847,723 98 | Miscellaneous physical property. |
| 204,430 65 | Work in process of construction. |

\$32,798,089 36

The depreciation charge to cost of service for the year 1937 amounted to \$2,447,321.91, or approximately 3.13 per cent on \$78,189,670.13 physical property, and was based upon careful computation of the estimated life of the component parts of the plant.

This matter was studied by the Department of Public Utilities and in their report of 1923 (House 1110) it was stated:

"The argument, based on excessive allowance for depreciation by the Public Trustees, seems to us unsound for the reasons we have set forth."

Mr. John A. Beeler in 1929 made an independent analysis of the matter for the trustees and found at that time that the depreciable property totaled \$80,537,683.23 upon which the charge should be \$2,986,491.13 or 3.71 per cent of the depreciable property.

During the twenty years from July 1, 1918, to December 31, 1937, there has been expended approximately \$56,458,000 upon road and equipment either for entirely new property or for replacement of worn-out property to provide facilities needed for the efficient and economical operation of the railway. The new cars, buses and trackless trolleys purchased during this period to take the place of the antiquated equipment in operation in 1917 have alone accounted for \$26,000,000.

Very truly yours,
EDWARD DANA,
President and General Manager.

ANSWER TO QUESTION No. 1.

Depreciation charged to railway operations for the period September 30, 1908, to December 31, 1937, inclusive.

| | |
|------------------------|----------------|
| Year Ended | |
| December 31, 1937..... | \$2,447,321 91 |
| December 31, 1936..... | 2,448,816 36 |
| December 31, 1935..... | 2,408,172 92 |
| December 31, 1934..... | 2,310,454 86 |
| December 31, 1933..... | 2,304,096 56 |
| December 31, 1932..... | 2,313,952 99 |
| December 31, 1931..... | 2,628,968 85 |

| | |
|---------------------------------|----------------|
| December 31, 1930..... | \$2,839,342 46 |
| December 31, 1929..... | 2,878,054 52 |
| December 31, 1928..... | 2,671,141 73 |
| December 31, 1927..... | 2,824,220 15 |
| December 31, 1926..... | 2,841,721 52 |
| December 31, 1925..... | 2,496,000 00 |
| December 31, 1924..... | 2,496,000 00 |
| December 31, 1923..... | 2,004,000 00 |
| December 31, 1922..... | 2,004,000 00 |
| December 31, 1921..... | 2,004,000 00 |
| December 31, 1920..... | 2,004,000 00 |
| December 31, 1919..... | 2,004,000 00 |
| December 31, 1918 (6 mos.)..... | 1,002,000 00 |
| June 30, 1918 (6 mos.)..... | 182,670 00 |
| December 31, 1917..... | 320,000 00 |
| December 31, 1916 (6 mos.)..... | 180,000 00 |
| June 30, 1916..... | 220,000 00 |
| June 30, 1915..... | 62,989 65 |
| June 30, 1914..... | 130,000 00 |
| June 30, 1913..... | — |
| June 30, 1912..... | — |
| June 30, 1911..... | — |
| June 30, 1910 (9 mos.)..... | — |
| September 30, 1909..... | 200,000 00 |

The Public Control Act (chapter 159 of the Special Acts of 1918) went into effect July 1, 1918.

ANSWER TO QUESTION No. 2.

Total depreciation accrued to the Atlantic avenue section of the original elevated is as follows: \$1,432,380 for period July 7, 1918, to December 31, 1937 (19½ years).

\$45,218 for period September 30, 1908, to June 30, 1918.

ANSWER TO QUESTION No. 3.

Service on the Atlantic avenue elevated discontinued October 1, 1938.

There has been no charge for depreciation for Atlantic avenue elevated included in the cost of service since that date.

(Bureau of Audit, November 23, 1938.)

Placed on file.

TENANTS AT OLD HARBOR VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Executive Director of the Boston Housing Authority relative to your order of October 31, 1938, concerning the total number of tenants at Old Harbor Village and the number of families accepted as tenants from each of the twenty-two wards of the city.

Respectfully,
MAURICE J. TOBIN, Mayor.

Boston Housing Authority,
November 17, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—The following information is sent you as requested, and pursuant to the order passed in the City Council on October 31, 1938:

"Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to advise the City Council the total number of tenants at Old Harbor Village and the number of families accepted as tenants from each of the twenty-two wards of the city."

Tenants have been chosen for the entire 1,016 dwelling units.

As of this date 978 units are occupied. The number of families now living at Old Harbor Village from each of the twenty-two wards of the city follows:

Ward 1, 12; Ward 2, 15; Ward 3, 26; Ward 4, 25; Ward 5, 24; Ward 6, 101; Ward 7, 186; Ward 8, 33; Ward 9, 20; Ward 10, 44; Ward 11, 57; Ward, 12, 30; Ward 13, 99; Ward 14, 21; Ward 15, 86; Ward 16, 68; Ward 17, 46; Ward 18, 19; Ward 19, 22; Ward 20, 11; Ward 21, 21; Ward 22, 12. Total, 978.

The remaining applicants accepted will soon occupy the available dwelling units.

Respectfully,
FRANCIS X. LANE,
Executive Director,
For the Authority.

Placed on file.

FIRE STATION, ORIENT HEIGHTS.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Fire Commissioner relative to your order of November 21, 1938, concerning the establishing of a fire station in the Orient Heights section of East Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Fire Department, December 1, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.
Dear Sir,—In reference to the order of the City Council dated November 21, 1938, "That the Fire Commissioner be requested, through his Honor the Mayor, to establish a fire station in the Orient Heights section of East Boston." I wish to submit the following information:

In my report for the year 1938 I shall recommend as desirable a new fire station in the North End, in the South End, in West Roxbury and in the Orient Heights section of East Boston.

I am heartily in accord with the order favoring the establishment of a fire station in the Orient Heights section of East Boston because of the increasing population in that section and because of the fact that it is quite a distance from the nearest station. At the present time we are covering East Boston satisfactorily but a new station located in Orient Heights would permit us to cover this territory more quickly and even more efficiently.

Respectfully yours,
WILLIAM ARTHUR REILLY,
Fire Commissioner.

Placed on file.

APPLICATIONS FOR WIDOWS' ABATEMENTS.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the secretary of the Board of Assessors relative to your order of November 28, 1938, concerning action forthwith on all 1937 applications for widows' abatements now pending before the Board in order that these properties will not be entered in the list of parcels of property to be advertised for tax title sale.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Assessing Department, December 1, 1938.
Mr. William T. Doyle,
Chief Clerk, Mayor's Office.
Dear Sir,—Complying with your request of November 29, we are proceeding as speedily as possible to dispose of the 1937 pending abatements under clauses 17 and 18 of chapter 59, section 5.

Respectfully,
BOARD OF ASSESSORS,
By JOHN P. DOHERTY, Secretary.

Placed on file.

"STOP" SIGNS, GREEN AND AMORY STREETS.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the chairman of the Boston Traffic Commission relative to your order of October 31, 1938, concerning the installation of "Stop" signs at the corner of Green street and Amory street, Ward 11.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, November 29, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated October 31, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install 'Stop' signs at the corner of Green and Amory streets, Ward 11."

Our experience with "Stop" signs in locations comparable to this one has been very unsatisfactory.

We have noted that in every case where these signs have been installed, motorists who habitually use the main street become aware of the fact that motorists entering from the side street are supposed to stop before proceeding through the intersection and, consequently, drive past the intersection at higher rates of speed than obtained previous to the erection of the sign. This practice has invariably resulted in increasing the number of accidents occurring at these intersections. A case in point is the intersection of Adams street and Ashmont street, Dorchester, where we erected "Stop" signs in compliance with an executive order during 1937. The accident frequency at this intersection has almost doubled since the signs were installed. It is our opinion, therefore, that "Stop" signs should not be erected in Green and Amory streets.

Orders have been issued to erect a "Slow" sign in the north side of Green street, five feet west of the street line of Brookside avenue.

The matter of prohibiting parking in the south side of Green street, from Woolsey square to a point fifty feet east of Bartlett square, will be discussed at the next meeting of this commission.

Respectfully yours,
WILLIAM P. HICKEY, Commissioner.

Placed on file.

GEORGE W. WRIGHT GOLF COURSE, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the chairman of the Park Department relative to your order of November 28, 1938, concerning the advisability of immediately flooding a section of the George W. Wright Golf Course, Hyde Park, for skating purposes and that provisions be immediately made for adequate toboggan slides, skiing and other winter sports.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, December 2, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have your memorandum of November 29, with inclosure order from the City Council, that this department consider the advisability of immediately flooding a section of the George Wright Golf Course, Hyde Park, for skating purposes, etc.

Please be assured we are simply waiting for the frost to enter the ground to flood the first fairway, which will make a natural shallow reservoir which can be used for skating purposes.

Plans are already in operation for the building of a toboggan chute; unfortunately it has to run over one of the greens or a portion of the hill would have to be removed. Arrangements, however, will be made so it can be used this winter.

Skiing would not be very well patronized in this city. We are, however, going to allow skiing on all the hillsides, similar to what we do at Franklin Park, with the exception of the one where the toboggan chute is built.

Very respectfully yours,
WILLIAM P. LONO, Chairman.

Placed on file.

TRAFFIC SIGNALS, GREEN AND AMORY
STREETS.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Boston Traffic Commission, relative to your order of October 31, 1938, concerning the installation of automatic traffic signals at the corner of Green and Amory streets, Ward 11.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, November 29, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order, dated October 31, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to install automatic traffic signals at the corner of Green and Amory streets, Ward 11."

I regret to state that there are no funds available at this time for the installation of automatic traffic signals at this location.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

EXTERMINATION OF RODENT LIFE.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Health Commissioner relative to your orders of November 14, 1938, concerning the sponsoring of a W. P. A. project which will be responsible for exterminating the rodent life in the mid-town area; and the use of every available means to rid the mid-town area alleys, especially Ward 4, of all rodent life.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Health Department, November 28, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—We have your communications of November 18, regarding City Council orders of November 14:

"Ordered, That his Honor the Mayor consider the possibility of having the Health Department sponsor a W. P. A. project which will be responsible for exterminating the rodent life in the mid-town area.

"Ordered, That the Commissioner of the Health Department be instructed by his Honor the Mayor to use every available means to rid the mid-town area alleys, especially Ward 4, of all rodent life."

As these two orders relate to the same subject, the exterminating of rats in the mid-town area, and especially in Ward 4, they will be treated as one in this communication.

In my opinion, the matter of rat extermination does not lend itself to a W. P. A. project, there being many objections to such a plan. It would require work on private premises which, in itself, as I understand the law, is not permitted. It must be understood that, to be effective, it would be necessary to not only carry on the work of extermination in the yards and alleys, but also in the dwellings and private premises generally. Personally, even if such a project would be approved, I would not care to be responsible for sending temporary workers into private homes.

It must be considered that the rat population of this, as of every large city, is distributed throughout the entire city, and in order to make such work effective, it would require the carrying on of the work of extermination in all sections if it was to have any value.

The problem of reducing the rat population requires much more than exterminating rats in

yards and alleys. It must be met by ratproofing of buildings and cutting off the opportunities for breeding and harboring the rats.

The restricting of the food supply for the rats is of primary importance and this includes the adequate protection of food stuffs in the homes and proper provisions for caring for garbage and keeping it away from the rats.

The Health Department has a force of forty-two housing and sanitation inspectors and six supervisors, a part of whose duties it is to require the correction of conditions which are conducive to rat-breeding both in dwellings and other premises as well as in the yards, alleys and open areas. The department also employs two rat experts who, in addition to inspection work, are available in an advisory capacity.

I feel that we are doing everything that can be done to meet the problem, both by requiring the elimination of rats and rat-breeding conditions, and also the dissemination of information looking toward the education of the public on the problem and means for meeting it.

The age of the city together with the lack of planning and the greater fact that much of its area consists of filled land makes difficult the satisfactory accomplishment of all we would like to do in keeping the city free from rats.

I will see that the inspection force of the Housing and Sanitation Division of this department use every effort to meet the requirements of the councilor.

Very truly yours,
H. F. R. WATTS, M. D.,
Health Commissioner.

Placed on file.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
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 \$12,000 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,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, December 2, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are hereby respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$12,000 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..... | \$12,000 |

When making up the budget estimates for the year 1938, 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 1938, 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 \$12,000 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..... | \$12,000 |

Referred to Executive Committee.

FAMILIES RESIDENT IN PROPOSED HOUSING AREAS.

Boston Housing Authority,
November 17, 1938.

The following was received:

City of Boston,
Office of the Mayor, December 5, 1938.
To the City Council.

Gentlemen.—I transmit herewith a letter from the Executive Director of the Boston Housing Authority relative to your order of October 24, 1938, concerning (a) the total number of families now resident in each of the four proposed housing areas, and (b) the total number of resident owners included in that number.

Respectfully,
MAURICE J. TOBIN, Mayor.

William T. Doyle,

Chief Clerk, Mayor's Office.

Dear Sir,—The following information is sent to you in answer to your request, and pursuant to the order passed in the City Council on October 24, 1938:

"Ordered, That the Boston Housing Authority be requested to give

(a) The total number of families now resident in each of the four proposed housing areas, and

(b) The total number of resident owners included in that number."

APPROXIMATE FIGURES ON SITE.

| PROJECT LOCATION. | Number Dwelling Units. | Number Families. | Number Resident Owners. |
|-----------------------|------------------------|------------------|-------------------------|
| Charlestown..... | 1,015 | 840 | 187 |
| South Boston..... | 445 | 400 | 73 |
| Roxbury, Ward 9..... | 683 | 615 | 29 |
| Roxbury, Ward 10..... | 326 | 275 | 63 |
| Totals..... | 2,469 | 2,130 | 352 |

The schedule above represents approximate figures, and has been prepared from information available to this Authority. No actual census has been taken.

Respectfully,
FRANCIS X. LANE,
Executive Director.
For the Authority.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Walter Brown, for compensation for damage to car by city truck.

William J. Burns, for compensation for damage to car by city truck.

Burroughs Adding Machine Company, to be paid for services rendered to School Buildings Department.

James J. Byrne, for compensation for damage to car by city truck.

Mortimer J. Coakley, to be reimbursed for execution issued against him.

Ben Crugnale, for compensation for damage to car by city car.

Grace DeLuca, for reimbursement for loss of business at 159 Cambridge street, because of sewer trouble.

Roger E. Deveney, for compensation for injuries caused by an alleged defect in Parsons street, Brighton.

Charles Fagan, for compensation for damage to car caused by an alleged defect in Newhall street.

Galassi Company, for compensation for damage to property at 11 Bennet street, caused by stone from street.

Thomas P. Garvey, for compensation for injuries caused by an alleged defect at Exeter street subway.

Ruth G. Howard, for compensation for damage to car by city truck.

Perkit Folding Box Company, for compensation for damage to car by city truck.

Max C. Springer, for compensation for injuries caused by an alleged defect in West First street.

Emile Young, for compensation for damage to property at 298 Kittredge street, Roslindale, caused by broken water pipe.

John F. Smyth, for compensation for damage to car by city truck.

Executive.

Petition of Helen M. Gormley to be paid annuity on account of death of her husband, late member of Fire Department.

Committee on Ordinances.

Petition of Rose C. Fichtner, for driveway opening at 27 Bellamy street, Ward 22.

NOTICE OF TAKING.

Notice was received from the Metropolitan District Commission of taking of portion of Centre street at West Roxbury Parkway for purpose of constructing traffic circle at intersection of West Roxbury Parkway and Centre street.

Placed on file.

RETURN OF VOTES — STATE ELECTION.

A certificate was received from the Secretary of State of the official returns of the votes cast at the State Election November 8, 1938, from which extracts of the votes cast on matters affecting the County of Suffolk and the City of Boston are as follows:

FOR SHERIFF OF SUFFOLK COUNTY.

John F. Dowd of Boston (Democratic) has 218,069 votes;

Alfred A. Kerr of Boston (Independent) has 3,699 votes;

Joseph V. Lyons of Boston (Independent) has 7,171 votes;

Timothy W. Murphy of Boston (Republican) has 99,170 votes;

and John F. Dowd is duly elected.

Shall an amendment to the Constitution providing for biennial sessions of the General Court and for a biennial budget be approved?

Yes, 748,030; No, 417,134;

and the said proposed amendment is approved.

LAW PROPOSED BY INITIATIVE PETITION.

Shall the proposed measure which provides that in any city or town which accepts its terms, the licensing authorities shall establish free public taxicab stands for the use of all taxicabs and motor vehicles for hire whose owners are licensed within such city or town, and shall abolish all other forms of taxicab stands on any public highway within such city or town,—

Yes, 664,762; No, 614,487;

and the proposed measure is approved.

Shall the pari-mutuel system of betting on licensed horse races be permitted in this county?
Suffolk County: Yes, 229,397; No, 64,558;
and the proposed law is approved in Suffolk County.
Shall the pari-mutuel system of betting on licensed dog races be permitted in this county?
Suffolk County: Yes, 191,607; No, 81,950;
and the proposed law is approved in Suffolk County.
Shall the Representatives from said districts vote in favor of a legislative amendment of the

constitution restricting to highway purposes the use of the proceeds of certain revenues derived from motor vehicle registration fees, licenses and gasoline excise taxes, excluding only a motor vehicle excise tax?
Twelfth Suffolk Representative: Yes, 6,143; No, 3,189.

The number of persons who voted in this district was 14,225. And the Representatives from this district appear not to be so instructed, the question not receiving a majority of the votes cast.

Shall the Representatives to the General Court from these districts be instructed to vote in favor of legislation barring from employment, in the public service, married women whose husbands are employed?

| | Yes. | No. |
|---|--------|-------|
| First Suffolk Representative..... | 10,880 | 2,094 |
| Second Suffolk Representative..... | 7,017 | 1,796 |
| Third Suffolk Representative..... | 8,680 | 2,964 |
| Fourth Suffolk Representative..... | 6,877 | 3,628 |
| Fifth Suffolk Representative..... | 6,212 | 3,047 |
| Sixth Suffolk Representative..... | 7,196 | 1,954 |
| Seventh Suffolk Representative..... | 7,633 | 2,075 |
| Eighth Suffolk Representative..... | 6,068 | 1,817 |
| Ninth Suffolk Representative..... | 5,781 | 1,964 |
| Tenth Suffolk Representative..... | 7,555 | 2,165 |
| Eleventh Suffolk Representative..... | 7,176 | 2,454 |
| Twelfth Suffolk Representative..... | 7,648 | 3,202 |
| Thirteenth Suffolk Representative..... | 7,529 | 2,191 |
| Fourteenth Suffolk Representative..... | 9,743 | 3,760 |
| Fifteenth Suffolk Representative..... | 7,577 | 2,148 |
| Sixteenth Suffolk Representative..... | 10,185 | 3,013 |
| Seventeenth Suffolk Representative..... | 9,108 | 3,345 |
| Eighteenth Suffolk Representative..... | 10,460 | 3,941 |
| Nineteenth Suffolk Representative..... | 8,753 | 3,186 |
| Twentieth Suffolk Representative..... | 11,285 | 4,543 |
| Twenty-First Suffolk Representative..... | 8,545 | 4,711 |
| Twenty-Second Suffolk Representative..... | 8,578 | 3,024 |
| Twenty-Sixth Suffolk Representative..... | 4,931 | 2,177 |

Shall the Representatives from these districts be instructed to vote for legislation prohibiting cities and towns from contributing taxpayers' money toward the construction and maintenance of government subsidized, tax free, apartment houses, or local boards of housing authorities?

| | Yes. | No. |
|--|-------|-------|
| Eighteenth Suffolk Representative..... | 8,633 | 3,920 |
| Nineteenth Suffolk Representative..... | 6,900 | 3,188 |
| Twentieth Suffolk Representative..... | 9,374 | 4,354 |

Placed on file.

RETURN OF VOTES ON LICENSES.

A communication was received from the Board of Election Commissioners certifying that at State Election on November 8, 1938, the vote upon license questions was as follows:

1. Shall licenses be granted in this city (or town) for the sale therein of all alcoholic beverages (whiskey, rum, gin, malt beverages, wines and all other alcoholic beverages)?
Yes, 195,548; No, 54,298.
2. Shall licenses be granted in this city (or town) for the sale therein of wines and malt beverages (wines and beer, ale and all other malt beverages)?
Yes, 193,135; No, 46,768.
3. Shall licenses be granted in this city (or town) for the sale therein of all alcoholic beverages in packages, so called, not to be drunk on the premises?
Yes, 199,917; No, 42,260.

Placed on file.

VOTE ON TAXICAB STANDS.

A communication was received from the Board of Election Commissioners certifying that at State Election on November 8, 1938, the vote in the City of Boston upon the taxicab question by which

free public taxicab stands for use of all taxicabs and motor vehicles for hire shall be established was as follows:

Yes, 156,222; No, 97,358.

Placed on file.

INCREASE OF VOTING PRECINCTS IN WARD 7.

A communication was received from the Board of Election Commissioners setting forth vote of Board making increase of one voting precinct in Ward 7, such increase to make a total number of 389 precincts in the city and to become effective for the police listing of January 1, 1939. (City Document No. 57.)

The communication was placed on file, and ordered printed.

SECRETARY OF BOARD OF ASSESSORS.

Notice was received from the Board of Assessors of resignation of John P. O'Hearn as secretary of the Board under date of November 29, 1938.

Notice was received from the Board of Assessors of appointment of John P. Doherty, 41 High Street, Charlestown, as secretary of Assessing Department at salary of \$4,500 per annum, effective November 29, 1938.

Severally placed on file.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointment submitted by the Mayor November 28, 1938, of Samuel Goldkrand to be a Constable with authority to serve civil process upon filing bond.

The question came on confirmation. Committee, Coun. Galvin and Agnew. Whole number of ballots 18; yes 18, and the appointment was confirmed.

LOAN TO MEET OUTSTANDING LOANS.

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

2. Ordered, That under the provisions of chapter 49 of the Acts of 1933, as most recently amended by chapter 57 of the Acts of 1938, the City Treasurer be authorized to obtain the approval of the Emergency Finance Board to the issuance of \$1,500,000 in notes, bonds or certificates of indebtedness of the city; said notes, bonds or certificates to be sold at their face value to the Commonwealth, and the proceeds he, and hereby are, appropriated for the purpose of meeting outstanding revenue loans.

On November 21, 1938, the foregoing order was read once and passed, yeas 18, nays 0.

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

TRANSFER OF HYDE PARK LAND TO EMMA D. JENKINS.

Coun. NORTON offered the following:

Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order approved by the Mayor of Boston December 2, 1930, and recorded December 6, 1930, with Suffolk Deeds, Book 5230, page 581, took for playground and public golf course purposes a certain parcel of land situated in those parts of Boston called, respectively, Hyde Park and West Roxbury, as is more fully described in said resolve and order; and

Whereas, A certain portion of said golf course, approximately 111 feet long and five feet wide, running from West street in a westerly direction along the southerly side of lot No. 952, the said lot No. 952 being shown on a plan entitled "Part Three A of Grew Park, Hyde Park, Boston," developed by Bonelli-Adams Company and dated September 23, 1926, is no longer needed for public purposes; and

Whereas, Emma D. Jenkins, the owner of said lot No. 952, desires to purchase the said parcel of land, five feet wide and 111 feet long; now, therefore, it is hereby

Ordered, That his Honor the Mayor he, and he hereby is, authorized, in the name and behalf of the City of Boston, to convey all its right, title and interest in said parcel of land mentioned above as five feet wide and 111 feet long to the said Emma D. Jenkins by a written instrument, satisfactory in form to the Law Department of the City of Boston, upon the payment to the said City of Boston by the said Emma D. Jenkins of fifty dollars.

Referred to Executive Committee.

PAYMENT TO SOCIAL LAW LIBRARY.

Coun. AGNEW offered the following:

Ordered, That there be allowed and paid to the proprietors of the Social Law Library the sum of one thousand dollars (\$1,000) 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.

RESURFACING OF WARD 10 STREETS.

Coun. CAREY offered the following:

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

Mayor, to resurface with smooth pavement the following-named streets in Ward 10: Wyman street, Forbes street, Calumet street.
Passed under suspension of the rule.

TRANSFER TO CITY OF DORCHESTER LAND.

Coun. FISH offered the following:

Ordered, That Park Commissioner Long, through his Honor the Mayor, be requested to confer with the trustees of the Massachusetts Homeopathic Hospital for the purpose of arranging for the immediate transfer to the city of the land held by said hospital bounded by Mill, Everett and Elm streets, Ward 16, Dorchester, for the reason that it is alleged that the use of said land for hospital purposes has been abandoned.

Passed under suspension of the rule.

INFORMATION RE COUNCIL CHAMBER REPAIRS.

The following was received:

City of Boston,

Auditing Department, December 1, 1938.

Memorandum for Mr. John B. Hynes, Assistant City Clerk.

With respect to the information requested by Councilor Wilson in an order filed at the last meeting of the City Council I submit the following statement which is based on expenditure records on file in this office:

1. Cost of all work involving the City Council Chamber to date with items and amounts.

The following table covers payments made to John L. Grady for work performed and equipment used at the time the structural defects in the upper floors of City Hall became evident:

| | |
|--|---------|
| December 31, 1937, Labor and equipment used in shoring and making the chamber area safe..... | \$1,600 |
| April 30, 1938, Rental of equipment left on premises..... | 295 |
| May 31, 1938, Rental equipment left on premises..... | 155 |
| July 31, 1938, Purchase of equipment left on premises..... | 190 |
| | \$2,240 |

2. Total cost to date incident to the use of Faneuil Hall for meetings of the Boston City Council.

The only direct item of expenditure which would appear to fall within this category is the purchase from the Osborne Furniture Company on February 24, 1938, of twelve mahogany tables. The total expenditure for this purpose was \$432. The janitor service incident to the Council's occupancy of Faneuil Hall has been provided by the regular janitorial force assigned to the building. The telephone line in the room used for the executive sessions, I am informed, is the same line that was used when the Council met in City Hall. There has been no additional heating expense occasioned by the Council's use of the building. I have no way of determining whether any additional electric current has been consumed. My offhand opinion is that at best this item of cost would be negligible, since in order to properly display the pictures and tablets on the walls of the building it has been the policy to keep the building well lighted.

From the records available it would appear as though the total expense to the city to date for the two items has been roughly \$2,700.

CHARLES J. FOX,
City Auditor.

Placed on file.

ISSUANCE OF SNOW BUTTONS.

Coun. TAYLOR offered the following:

Ordered, That the Public Works Commissioner be instructed by his Honor the Mayor that no snow buttons be issued by anyone except yard foremen in charge of snow work or by the Municipal Employment Bureau.

Coun. TAYLOR—Mr. President, last year we had trouble in regard to these snow buttons, and

since that time we have abandoned the right to distribute snow buttons, because we did not secure enough of them to satisfy people who wanted them. Since that time, however, I have been informed that a great many snow buttons have been given to people other than councilors and distributed throughout the city, and as a result a councilor has been sought after by constituents in his districts who desired to receive a button. Under this order I am now requesting that these buttons be distributed through foremen of the various yards or by the Municipal Employment Bureau. I think it only fair that people seeking that type of work should have it given to them, and those coming to the yard first are the ones who should be served first—either to the yard or to the Municipal Employment Bureau.

Coun. WILSON—Mr. President, I want to register my protest and vote against the order, for the reason I gave last year. I personally believe, perhaps lacking modesty, that I am in a position, so far as Ward 17 is concerned, to know and to name in that area people who are actually in want, and I believe that I am very well able, so far as my ward is concerned, to determine which ones are heads of families and are supporting families; to know, first and foremost, which men are even citizens, and which men, after they get work, will take the money they receive home to their families, not spending it in some tavern. So far as the first coming being first served is concerned, there a serious question arises. We have out our way a new yard which has been moved from Gibson street down to Columbia road, which gives an undue advantage to men coming from a much nearer district. I am at least one member of the Council who does not desire to duck the responsibility in my ward of passing out these buttons. I believe I know the men in my ward who are citizens and who need the work, those who will take the money they earn to their families and will not drink it up. I believe the job is one that should be assumed by the local councilor, and I, for one, desire to assume it.

Coun. ROSENBERG—Mr. President, I also want to register my opposition to the present order. I believe that the members of the Boston City Council, representing the different districts, know the residents of their districts who are in need of work, those with particularly large families, to whom the obtaining of this snow work means a great deal. Many of them are too modest to go on the Welfare roll and they are out looking for hard jobs. I believe it would be a hardship to send these people from Dorchester down to the Municipal Employment office or the Albany-street yard, waiting in line, with the result that, not being so near that point, they will find others ahead of them and will not be able to get the button. It would also involve in many cases the payment of 20 cents in carfare, and I have, personally, at times given carfare money to some of those men, so that they would be able to get snow work. I don't think we ought to duck our responsibility. We have here an opportunity to place some men at work, men who want to earn a day's pay, and we ought to assume the responsibility for the people living in our respective communities.

Coun. CHASE—Mr. President, I also desire to register my protest on this order. I believe, if you adopt this order, various people throughout Boston will not be given an even opportunity to work on this snow removal. If the councilors, however, are given the opportunity to distribute buttons among their constituents, many of them will be able to get the work. Under this proposition, men from the South End, for instance, would be favored to the exclusion of men from the Back Bay or from Dorchester. I think if the councilors take this opportunity to demand their rights in securing buttons for their constituents, many of the people in the various wards will thus be given the right to go to work.

Coun. TAYLOR—Mr. President, I think the members of the Council who have just opposed the order do not completely understand it. The Mayor took this out of our hands last year with the intention, I assume, of distributing these buttons from the various yards, or allowing the Municipal Employment Bureau to take care of the matter. The intention of this order is not to take away anything from the Council, but to prevent these buttons coming into the hands of private individuals to the detriment of the Council. That is the reason for the order presented.

The order was referred to the Executive Committee.

CLOSING OF STORES ON HOLIDAYS.

Coun. ROSENBERG offered the following:
Ordered, That the Police Commissioner be requested, through his Honor the Mayor, to issue a bulletin showing the holidays on which (a) the stores must keep closed all days, (b) the stores may open at 1 p. m. and (c) the stores may keep open all day, and that copies of this bulletin be distributed to the store owners by the policemen in their respective districts.

Coun. ROSENBERG—Mr. President, a number of business men in various sections of my district are confronted with certain holidays, but do not know on those holidays whether they are supposed to keep closed all day or whether they are allowed to keep open at certain times in the day. Some stores, for example, might be allowed to keep open after one o'clock and others might be allowed to keep open all day. I think an order of this kind, under which the Police Commissioner might issue a bulletin showing which stores must keep closed all day, which ones may open at one and which stores may keep open all day, distributed to the storekeepers, would be of great value. They would then know just what they could—whether they could open a part of the day or all day, or could not open at all. I think a bulletin of this kind would be very valuable.

The order was passed under suspension of the rule.

METHOD OF COUNTING BALLOTS.

Coun. ROSENBERG offered the following:
Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to review the method of counting ballots after the close of Election Day, particularly during a state election, in order that a better, quicker and more effective program may be devised for securing the complete results.

Coun. ROSENBERG—Mr. President, we have found, particularly in state elections and primaries, that in most of the precincts in Boston the ballots are not counted until six, seven or eight o'clock the following morning. I believe it is through no fault of the persons working at the polls, but I do believe some method might be devised whereby the persons working in the precincts might get through their work and send in the figures without having to work until the next morning in sorting and counting the ballots. It does seem as though some method might be worked out for accurately tabulating the ballots much more expeditiously and getting equally complete and accurate results. This order is offered in no spirit of criticism of the Election Department. We all highly respect the Election Board and know that those working as precinct officers do everything they can to do an efficient and accurate job. I believe, however, that the Election Board might, before another election day rolls around, devise some means of more quickly tabulating the ballots after they are deposited.

The order was passed under suspension of the rule.

FIRMS DOING BUSINESS WITH CITY.

Coun. ROSENBERG offered the following:
Ordered, That the City Auditor, City Treasurer and Purchasing Agent be requested, through his Honor the Mayor, to collaborate and furnish the City Council with the names of the firms doing business with the city—

1. If a partnership, the names and addresses of the members of the firm.
2. If a corporation, the names and addresses of the officers.
3. If an individual firm the names and addresses of the respective owners.

Referred to Executive Committee.

ASSESSMENT OF SUFFOLK DOWNS RACE TRACK.

Coun. GALVIN and IRWIN offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to consider the advisability of increasing the present

assessment on the property of the Eastern Racing Association, known as the Suffolk Downs Race Track.

Coun. IRWIN—Mr. President, this land, covering an area in the City of Boston of 4,628,000 feet, was assessed in 1935 to the Boston Port Development Company at four cents per foot, or \$94,800. In 1936, when it had become the property of the Eastern Racing Association, the total assessed value was \$1,500,000, the value of the land being \$695,000 and of the buildings \$805,000. That is, the assessed value was then 15 cents per foot, aside from the \$805,000 value of the buildings. In 1937 the assessed value was \$1,650,000 on the land and \$955,000 on the buildings, the value of the land being still 15 cents per foot. I introduce this order because in these times his Honor the Mayor is looking for and needs new revenue. There is at the present time a special committee looking into the question of increasing fees, for instance, and doing a very good job, and its recommendations are now before the City Council. This property is now a very successfully run and well-paying proposition, and in spite of that fact the assessed value of the land has not increased one bit. There is other property in my district upon which people are losing money and which is constantly deteriorating, on which, nevertheless, an assessment of \$5 and \$6 a foot is maintained, without any apparent reason, while on the property I have referred to, the assessed value is really negligible. I think if the assessment on the property were increased tenfold it would not be excessive, and I certainly cannot see why, when we all know of poor widows who cannot have their tax bills decreased, we see an assessment of but 15 cents a foot placed on valuable income-producing property of this kind. I cannot see why special consideration should be shown in this manner to a group of outsiders, who have here a very lucrative and well-paying property, which they have beautified and improved and still are not expected to pay an increased assessment upon, when we know that we are doing everything we can at the present time to bring in revenue to the city in order to properly maintain our municipal activities. I trust, Mr. President, that the order will be passed and that something will be done in the way of increasing the present assessment of the property of the Eastern Racing Association, known as the Suffolk Downs Race Track.

Coun. GALVIN—Mr. President, I am in hearty accord with Councilor Irwin of East Boston in this order looking to the raising of the tax levy on this particular site. In the past four or five months the particular organization owning this property has been able to take in from \$1,000 to \$1,500 a day. I have frequently gone by the premises and have visited the track on several occasions and have seen the large crowds patronizing it, and yet we find that the land is assessed for only 15 cents a foot. I can certainly sympathize, in contrast, with what is done over there, with people of my district who pay anywhere from \$1.50 to \$2.50 a foot on land which is no more valuable, and those people consider themselves very lucky if by the end of the year they find that they have been able to meet their tax bills and still retain their property. I am informed that the property referred to years ago was only a swamp, and was considered worth merely a cent and a half a foot. It has advanced very rapidly in value, however, and that increase in value should now be recognized by the assessors' office. I believe that property in the near neighborhood is being assessed at \$5 and \$6 a foot. Certainly there is no reason why this value income-producing property should not be more highly assessed, particularly when we consider the hardship that many of our private citizens are enduring in the way of assessment on their property. Certainly, the assessment imposed on such property should be at least equal to what is placed on other property in East Boston.

The order was referred to the Committee on License Fees.

OCCUPANCY OF OLD HARBOR VILLAGE.

Coun. WILSON offered the following:

Ordered, That the Boston Housing Authority, through his Honor the Mayor, be requested to advise the City Council at once: (1) the official date when the first tenant moved into Old Harbor Village; (2) the number of apartments now rented;

(3) The number of tenants who have moved only since the project was first opened; (4) the number of apartments vacant as of December 1, 1938.

Coun. WILSON—Mr. President, that order is introduced for the purpose of supplementing the information transmitted to us today through the Boston Housing Authority in regard to the situation at Old Harbor Village as of November 17. It appears that there were then 978 of the 1,016 Old Harbor Village apartments actually occupied, leaving 38 after all these months still vacant, either because no tenants went in there, or because some of the tenants moved out. The figures in regard to wards are very illuminating, having in mind the locations now picked for the new housing projects. I notice that the councilor from Ward 3 (Coun. Fitzgerald) only thinks he lives in a slum area, because of the 978 tenants only 26 have come from the West End, and that there were only 12 at that time from East Boston, with 15 from Charlestown. South Boston, where the project was opened, furnished 287 out of the 978. One might also gather from these figures that Dorchester would be classed as one of the highest slum areas in the city, because next to the two South Boston wards, 6 and 7, the next highest assignment is from Ward 13, Dorchester, 99, Ward 15, Dorchester, 86, and Ward 16, Dorchester, 68, while Ward 17, Dorchester, furnished 46. Of course, they are all located in the same Congressional district! But my point is that territories standing high in what we might consider the slum areas of the city are not the ones from which the tenants come; because the number of tenants who have gone to the Old Harbor project from Ward 1 are only 12, from Charlestown 15, and from Ward 3, 26, while from Ward 10 there are 44, and from Ward 11, 57. That shows the apparent situation, from the standpoint of slum clearance, in wards in which the four new housing projects are to be located.

The order was passed under suspension of the rule.

INJURIES TO SCHOOL CHILDREN.

Coun. WILSON offered the following:

Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to promptly notify the parents of any Boston school children who are sent to the Boston City Hospital or elsewhere as the result of injuries or sudden illness.

Coun. WILSON—Mr. President, this is in the nature of a request that arises out of a specific case of a Dorchester boy, in the Dorchester High School, who was injured on Monday afternoon in a football game, but came home that night and went to school the following morning. That afternoon there was another football game, but in the morning, on account of the peculiar behavior he exhibited because of injuries he had received the day before, without notice to his family, he was shipped to the Boston City Hospital. When he did not come home to supper his folks thought that he might have been injured in the Tuesday afternoon game, but upon inquiry they found, for the first time, that he was in the Boston City Hospital, when they finally caught up with him at half-past nine on Tuesday night. It does seem, in the case of school children in the high school or other schools, that there is a duty on the school authorities to notify the fathers or mothers in such a case, when a child has been injured in a game, when in spite of that he goes to school on the following morning, and they then find, at half-past nine that night, that he has been in the hospital all day. Certainly, when they do not find under such circumstances that he has been injured and that he is in the hospital, until half-past nine at night, there seems to be something wrong. Therefore, I have introduced this order.

The order was passed under suspension of the rule.

PREPARATION OF ORDINANCE RE VENDING MACHINES.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to promptly prepare and forward, for consideration by the City Council Committee on Ordinances, a form of ordinance for possible action by the committee:

(1) to prohibit the use of vending machines for the sale of cigarettes in Boston, with provisions for a penalty for violation of such ordinance,—the existing Chicago city ordinance being substantially as follows: "No person, firm, or corporation shall locate, install, keep, maintain or use, or permit the location, installation, keeping, maintenance or use upon his or its premises, of any vending machine or coin-operated machine, or other mechanical device used or intended to be used for the sale or distribution of cigarettes," and (2) a form of ordinance for possible action by the committee: (a) to provide for an annual license fee and suitable regulations applicable to any cigarette vending machines located in Boston, and providing also for a periodic inspection of each machine by some city department or departments with reference to tested mechanical operation, freshness of the merchandise, and sanitation, and (b) to assure personal responsibility, with a suitable penalty, in the event a cigarette vending machine is operated by a minor, and (3) a similar form of ordinance relating to the licensing of any coin-controlled or automatic vending machine for the mechanical sale of candy, nuts, food, or soft drinks, especially when unwrapped, in stores, railroad stations, and other public places.

Coun. WILSON—Mr. President, this order is offered at this time, as members of the Committee on Licenses are aware, in order that Mr. Parkman or one of his assistants may make available to the Council, if they desire to act upon them, the various forms of ordinance here suggested, dealing with the prohibition or the licensing of cigarette vending machines. The Council may or may not, perhaps, have time before the close of the year to act upon the license question that is now before them, and, therefore, supplementing the requests that were made last week, I thought it would be well to put through an order in this form suggesting the preparation of alternative ordinances, in order that we may have before us a form of ordinance dealing with this question upon which we may have an opportunity to act.

The order was passed under suspension of the rule.

TESTING OF METERS AND TELEPHONE PAY STATION BOXES.

Coun. WILSON offered the following:

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prepare and file a bill with the Massachusetts Legislature to amend General Laws, chapter 98, section 56, so that the Sealer of Weights and Measures in Boston shall be permitted to officially test the mechanical condition and accuracy of gas meters, water meters and electric light meters in use within the city limits, and make a reasonable charge therefor.

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to prepare and file a bill with the Massachusetts Legislature to permit the Sealer of Weights and Measures in Boston to officially test the mechanical condition of telephone pay station boxes in public buildings, railroad stations, hotels, and other public places in Boston, and make a reasonable charge therefor.

Coun. WILSON—Mr. President, these orders are the result of what was brought out by various committees last year, when it appeared that the Bureau of Weights and Measures has authority to deal, for instance, with the ordinary weighing machines around the city, which appear to be very remunerative, and on which there is a nominal charge for testing, in order that the members of the public who drop a penny in the slot may, theoretically at least, find their weight. But there seems to be no such authority over the registering devices of certain public utility corporations who obtain legislation on their behalf on Beacon Hill, and who are using important measuring and registering machines, very important to the general public, such as gas meters, electric light meters, water meters and telephone pay stations, all of which, for some reason, are allowed to do their own recording, without such supervision. Section 283 of chapter 94 of the General Laws, relating to slot machines, and so forth, provides that:

"No person shall maintain any slot machine or other automatic device, except gas meters, electric meters and telephones, which, upon the deposit

therein of any coin or other article of value, furnishes music or other entertainment, exhibits pictures, provides facilities for weighing, supplies any merchandise or other thing, or renders any service, or is represented to do or perform any of the above-mentioned things, unless such machine or device is of a type approved by the Director of Standards."

And it goes on to say, in section 284, that there shall be a fine of not more than \$25 if such a machine or device shall "fail properly to respond to the insertion or deposit therein of a coin or other article of value." Of course, I suppose we have all had experience with some of these machines giving your approximate weight or enabling you to see a picture, or something of the sort. But the really important devices that need attention are those used by the public utility companies, with which, under the present law, the Sealer of Weights and Measures apparently has nothing to do. They are the gas-registering devices, for example, the electric meters, the telephone pay stations. It seems to me that the common use of such devices, hitting as they do the rich and poor alike, should be subject to some testing of the machines by our local testing authority. They should certainly be subject to approval when they are installed and to periodic inspection by some impartial official, such as the Sealer of Weights and Measures. I trust that I am not simply "a voice crying in the wilderness" in this matter, because I believe there is nobody in the City of Boston who does not have at times the experience of dropping a nickel in a telephone slot and leaving it there for good and all; and I believe there is no person in the city who has not, at some time in recent years, been in some measure discommoded and irritated in trying to get some intelligent explanation of the increase in his gas bill, water meter bill or Edison electric light charge. I believe these are things which should be rectified by having such devices subject to testing by our Sealer of Weights and Measures, whom no lobbyist at the State House will be powerful enough to choke off, and I believe by taking such action as is proposed in this order we will be protecting the people of the City of Boston.

Coun. TAYLOR—Mr. President, I am in hearty accord with the gentleman from Ward 17 on the major part of his order. So far as the telephone devices are concerned, I believe that is not so important, because the trouble there can be remedied when it is found out, but I am interested more particularly in water meters. I am so interested because the City of Boston has been shutting off water because of unpaid water bills, which bills accumulate for many reasons—probably because the people think there is an unwarranted charge, that they did not consume the water for which they are billed, and when the meters are tested it is frequently found that the meter was wrong and that there has been an improper charge, and you then have difficulty in getting a rebate for the year prior to that. I believe the City of Boston should have every meter inspected, because they have antiquated meters in many homes. So far as the Boston Consolidated Gas Company is concerned, a check-up certainly is needed, because there are many families who complain of being overcharged in their bills, being charged even for times when they are away from their homes, at the beach or elsewhere. I think that this is a fine order and that it should be carried through.

The order was passed under suspension of the rule.

PERSONS FORCED TO MOVE IN NEW HOUSING AREAS.

Coun. CHASE offered the following:

Ordered, That the Housing Authority be requested, through his Honor the Mayor, to advise the Boston City Council on the means contemplated to assist the unfortunates who will be compelled to leave the areas where the new housing units will be erected.

Coun. CHASE—Mr. President, I am one of those who voted against the City of Boston accepting the proposed new housing units, because of the fact that I thought we did not have sufficient time to properly hear and consider the matter. I also felt that at the present time the poor people of Boston will not benefit through these housing

propositions. It has been called to my attention, for instance, that a good many unfortunates in the Mission Hill area will be compelled to leave their homes and that no assistance will be rendered those people who will have to move from that area. I read awhile ago of the situation confronting many people on W. P. A., earning perhaps \$13 a week, and many of the people on welfare who are getting \$14 or \$15 a week. Many of those people have large families to support and, financially, they are not in a position to afford the cost of moving their household goods from their present homes to other areas. I feel that this body should inquire from the Housing Authority what method they propose to adopt in dealing with these people, perhaps doing something that will enable them to move at no cost, aiding those who are compelled to leave their homes in such areas.

Coun. GALVIN—Mr. President, some three months ago I introduced an order into the Council requesting the Housing Authority to allow \$5 or more for the purpose of enabling such people to move. Since then, the chairman of the Housing Authority informs me that in no way will the Government allow such expenditures, but he was going to try to find some way to allow such tenants sufficient funds to move to another place.

The order was passed under suspension of the rule.

PROFITS OF BEANO PARTY OPERATORS.

Coun. HUTCHINSON offered the following:

Ordered That his Honor the Mayor be requested to consider the advisability of taking such steps as may be necessary to compel operators of Beano parties to contribute at least 35 per cent of their net profits to charity.

Passed under suspension of the rule.

"SLOW" SIGNS ON DORCHESTER AVENUE.

Coun. HUTCHINSON offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to install "Slow" signs along Dorchester avenue, beginning at a point before reaching Columbia road on one end and at a point before reaching Savin Hill avenue on the other end.

Passed under suspension of the rule.

TRAFFIC LIGHTS, DORCHESTER AND SAVIN HILL AVENUES.

Coun. HUTCHINSON and KELLY offered the following:

Ordered, That his Honor the Mayor be requested to transfer \$2,000 from the sales of tax title properties to provide for the installation of traffic lights at the intersection of Dorchester and Savin Hill avenues, Wards 13 and 15.

Passed under suspension of the rule.

NEW HIGHWAY, WEST ROXBURY.

Coun. LYONS offered the following:

Ordered, That his Honor the Mayor be requested to consider the advisability of constructing a new highway from the West Roxbury Parkway, through Grew's Woods, to the American Legion Highway at Hyde Park avenue, to relieve congestion at Roslindale square.

Coun. LYONS—Mr. President, the congestion in Roslindale square has been quite a problem for the Roslindale Board of Trade, and also for the merchants generally, as well as for people traveling back and forth. Last month I took the matter up with the Traffic Commission, and the only answer they could give me was to have me see if the City of Boston could purchase property and arrange for a parking space there to reduce the congestion at that point. Six or seven years ago there was a plan proposed of a highway extending from the West Roxbury Parkway through Grew's Woods to the American Legion Highway at Hyde Park avenue. That plan fell by the roadside, like a lot of other plans. I firmly believe now

that the only way to relieve the congestion existing there would be to put this plan into effect. The proposed road might be made, I suppose, a state highway.

The order was passed under suspension of the rule.

ASSESSMENT OF WARD 20 HOMES.

Coun. LYONS offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, when making the annual assessments on properties in January, 1939, to assess the homes in Ward 20 at a fair valuation and not to assess them so exorbitantly as in the past, especially those homes which have been built within the last eight or ten years.

Coun. LYONS—Mr. President, an examination of the assessed value of the City of Boston between 1930 and 1938 shows that there has been a reduction in valuation of \$389,000,000. In the past ten years houses have been built in Roslindale and West Roxbury at an average cost of, say, \$5,000, so as to be rented at a low figure, and they are assessed for \$6,000 or \$7,000. I suggest in this order that when the assessors start out in January, February and March to assess these homes, they assess them at a fair valuation. We know that valuations in Boston in the last ten years have dropped tremendously, and unless homes are assessed at a fair valuation, you are simply going to encourage people to go out of the city to purchase them. I think at this time, therefore, the Mayor should see to it, through the Assessing Department, that the assessors are instructed not to overvalue these homes in the way they have been doing.

The order was passed under suspension of the rule.

PHYSIOTHERAPY AIDE, CITY HOSPITAL.

Coun. LYONS and SULLIVAN offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to furnish the City Council with information as to why a civil service examination was held in 1937 for the position of reconstruction aide in the physiotherapy department of the hospital when it was the stated desire of the trustees to curtail the activities of this department, and when they apparently had no intention of making any appointment from the list established as a result of said examination.

Coun. SULLIVAN—Mr. President, I feel that the original purpose of the trustees of the City Hospital in having an examination held in 1937 for the position of reconstruction aide in the physiotherapy department of the hospital should be carried out. An examination was then held, and it was apparently intended at that time, following the examination, to fill the existing vacancy. The trustees have apparently since then, however, had a change of mind. I went to the Superintendent of the Boston City Hospital and asked him about it, and he said that for the past two years the trustees have been desperately attempting to effect certain vital economies in the hospital. That position seems now inconsistent in view of the fact that the importance of filling the position was considered sufficiently great in 1937 to warrant an examination for that purpose. I went to the Mayor and protested that the first person on the list naturally had a right to hope for that appointment, instead of appointing, as they did, a nurse who was not on the physiotherapy list at all, to do that work. The Mayor readily agreed with me in that position. The one who had occupied the position was a Margaret Dempsey, of Arlington, who was dismissed from the Boston City Hospital pay roll. I don't know whether the trustees wanted to keep that Arlington person on the pay roll, but since the time when she went off no one else has been named to fill that position, although the physiotherapy examination was held in 1937 and the list came out the first of 1938. The girls who expected appointment, however, have not been appointed, and, in spite of the fact that there are three or four vacancies in the department, the Board of Trustees voted not to put any physiotherapists on, using nurses who are not on the physiotherapy list to do that work.

There are two persons there qualified for that position, Boston people, No. 1 and No. 3. I believe they should be appointed, and therefore this order has been introduced so that we may get the facts in the matter from the trustees.

Coun. LYONS—Mr. President, I have also gone to the Mayor with reference to this party at the head of the list. In spite of the fact that there have been two or three vacancies in the physiotherapy department, the information we get from the trustees is that they cannot make the appointments. For some reason, nurses with no physiotherapy standing are now doing this work. There seems to be certain pets in the hospital. These girls to whom we have reference have studied hard for the last eight years and have worked under doctors in Boston on that physiotherapy type of work, stood high in the examination, and still cannot seem to get appointed. In the name of economy, they are substituting nurses who have been doing ordinary work in the hospital. I trust that the Mayor will do what he can to have the Board of Trustees put these girls who have passed the examination as physiotherapists at work in the City Hospital, instead of having substituted for them plain nurses who have not been trained in that type of work.

The order was passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. IRWIN, 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.

WELFARE CASES IN EACH WARD.

Coun. ROSENBERG offered the following:

Ordered, That the Overseers of the Public Welfare Department be requested, through his Honor the Mayor, to inform the City Council as to the number of welfare cases in each of the twenty-two wards of Boston.

Passed under suspension of the rule.

LEASING AND RENTING OF EAST BOSTON AIRPORT.

Coun. GALVIN and IRWIN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to forward to the City Council the following information relative to the leasing and renting of the East Boston Airport:

1. The names of all persons, or concerns, holding leases or rental agreements.
2. The amount involved in each lease or agreement.
3. The date of the expiration of each lease or rental agreement.
4. A copy of the contract between the State and the City of Boston.
5. The total cost of the construction of the Airport, buildings, etc.
6. The present operating expense of the Airport to the City of Boston.

Coun. GALVIN—Mr. President, in going over the different license fees as issued by the various departments of the city, I noticed certain items connected with the Boston Airport. I have been given to understand that folks who use the Airport have been expected to pay certain fees, and that there are certain amounts required for renewals. I find that the money derived from the Airport amounts to only \$10,000 a year, while the expenditures upon the Airport amount to something like a quarter of a million dollars. I think it important, therefore, that we should have presented to us the information asked for in this order, and then, when we have obtained the information we may be able to make certain suggestions as to rentals. The information requested includes the names of all persons or concerns holding lease or rental agreements, the amount involved in each lease or agreement, the date of expiration of the existing lease or rental agreement, a copy of the contract between the state and the city, the total cost of the construction of the Airport buildings,

and so forth, and the present operating expenses of the Airport. I think we should have this information.

Coun. AGNEW—I should like to know whether there is such a thing as a restaurant there, and whether certain private airplanes have privileges on that field. I think such information as requested might be useful.

Coun. GALVIN—Mr. President, I understand that any information that members may desire along this line would naturally be furnished under this order.

The order was passed under suspension of the rule.

COPY OF SPECIAL LAWS FOR COUNCIL ATTACHES.

Coun. GALVIN offered the following:

Ordered, That the Corporation Counsel of the City of Boston be instructed, through his Honor the Mayor, to issue to each attache of the Boston City Council one set of Special Laws relating to the City of Boston.

Passed under suspension of the rule.

ONE-WAY TRAFFIC ON CHARLESTOWN BRIDGES.

Coun. GALVIN offered the following:

Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to establish one-way traffic over the Charlestown Bridge, from Boston to Charlestown, and one-way traffic on the Warren Avenue Bridge, from Charlestown to the North Station.

Passed under suspension of the rule.

CITY COUNCIL CHAMBER REPAIRS.

Coun. WILSON offered the following:

Ordered, That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to advise the City Council promptly with reference to supposed repairs to the City Council Chamber in City Hall.

1. What work, if any, is now being done in the Council Chamber.

2. The last date on which any actual work was done in the Council Chamber at City Hall.

3. The probable date when the Council Chamber will again be available for meetings of the City Council.

Coun. WILSON—Mr. President, I realize that City Hall is a very good place, particularly at this time of year, and I appreciate the information that has come through to the effect that the payment up to date for labor and equipment used in shoring and making the chamber area safe has amounted to \$1,600, with \$295 for rental of equipment left on the premises, as of April 30, 1938, and a similar item of \$155 as of May 31, 1938, that item covering, I suppose, rental or storage, or what-have-you, of the ladders or whatever the equipment is; with an item of \$190 for purchase of equipment left on the premises July 31, 1938, the total of these items being \$2,240 for what has been done up to date on the City Council Chamber, which is now vacant, on the fourth floor of City Hall. We vacated that chamber a year ago tomorrow. There is also the item, in connection with the use of Faneuil Hall for our meetings, of the purchase on February 24 of twelve mahogany tables, at a cost of \$432. I also have in mind the weekly expense of transferring two or three typewriters down to Faneuil Hall and back again, not to mention the damage to typewriters, an item that should properly be included in the cost of using Faneuil Hall for our meetings. What I am particularly interested in is that we may obtain an outside estimate on the time when the Council may look to a return to its City Council Chamber on School street, bearing in mind that there are some of the newer members of the Council who yet have to sit in our Council Chamber. It is also conceivable that some of the members may not come back later, and I had an idea that it might be well for all these reasons to form some outside estimate as to the progress that has been or will be made.

The order was passed under suspension of the rule.

RECESS.

The Council, by direction of President KERRIGAN, at 3.45 p. m. took a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 5.20 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on petition of Johnson Bus Lines, Inc. (referred November 28 from Committee on jitney Licenses), for license to operate motor vehicles from Dedham line to Park square—that permit be granted.

Report accepted; said permit granted.

2. Report on message of Mayor and order (referred November 14) for the transfer of \$20,000 from appropriation for Sales of City Property to appropriation for Poultry Industry, Establishment of—that same ought to pass.

Report accepted and the question came on the passage of the order.

Coun. WILSON—Mr. President, I subscribe to the idea of prisoners at Deer Island being given some useful work to do, preferably on some machine or in a trade which conceivably may prove helpful to the prisoners after they are released,—some such trade as shoemaking, work on sheets, or other industries. According to the orders now before us, however, we are planning as an experiment at the island the installation of a poultry farm, at a cost of \$20,000, with the creation of a new job of supervisor of poultry. The Massachusetts General Hospital has already turned down the idea, not desiring to invest that sum of money in such a project. The Massachusetts State College definitely refuse to commit themselves at this time to any such plan. The history of the project suggests that the primary object is to create a job for an individual who has been in the business in the Virgin Islands for some few years. I have every respect for this young man and his ability, personally, but the desire to create a job locally for him fails to justify the orders, in my opinion. We propose to raise some 3,000 hens, in individual cages, indoors, on a grain and cod liver oil diet, for egg-laying purposes, and 15,000 birds for broilers. With some fifty prisoners on the work, it is planned that each man shall have charge of about seventy-five hens taking an hour or two of his time each day. I question whether Deer Island or any other penal institution has the legal right to go into this or any other business for a profit. But the main question is, whether such an arrangement not only keeps prisoners busy, but helps them after they get out. With most of the men at the island committed for drunkenness, non-support, or use of drugs, I question whether on a return to Roxbury Crossing, Charlestown, Maverick square, Dorchester or elsewhere in Boston, many of them will request licenses to operate a poultry farm. Experts state that one man should be able to care for one thousand or more hens. Certainly, a system which assigns seventy-five hens to a man for a short time each day does not involve much training to that man for practical purposes. Teaching prisoners such a trade for Boston is about as practical as teaching them to train polar bears or teaching them cotton picking, with the idea that they can follow those occupations after release from the House of Correction at Deer Island. In the past we have had repeated difficulties in disposing of our present Deer Island products to the City Hospital and other city departments. We should iron out that situation first. It was reported to the Committee on Prisons, I understand, that the City Hospital and other departments were failing to take the products of prison manufacture at Deer Island, and therefore I fail to see how the establishment of another experimental industry, the furnishing of poultry products, will succeed. If we are to teach trades, we should specialize in shoemaking, tailoring, or some business applicable to life in Suffolk County. Teaching another love of seventy-five hens on a cod liver oil diet is an impracticable fad for a prisoner at Deer Island, and at the expense here proposed seems to me hardly an enterprise that we should go into, especially when at this very time the great W. P. A. project involving adult recreation throughout Boston, teaching citizens arts and crafts and keeping their minds busy, is to be discontinued for lack

of funds. Finally, we have heard plans reported to transfer the Deer Island establishment to the state—an additional plan which should be disposed of before committing ourselves to this expenditure. In all frankness, and without endeavoring to be humorous, I again submit to you these points. This plan means an expenditure of \$20,000 and the creation of a new job. Either the primary purpose is to create an industry at Deer Island for the purpose of making money for the city, as to which I question our legal authority, or the purpose is not to make money but to split even and introduce some sort of industry at Deer Island, which will not only keep the prisoners busy but will give them something to work at after their release from the island. At most, the care of seventy-five hens will occupy one person but a quarter of his time each day; also it takes no argument to demonstrate the fact that the average man sent to Deer Island—mostly for drunkenness, non-support or use of dope—will not find any practical use of his experience with the poultry industry after leaving the island. While I have every respect for those who think this is a splendid idea, I personally think it puts us in a ridiculous light at the present time. I have in mind the adult recreation and labor proposition under W. P. A. at the present time, by which thousands of men and women in Boston in various parts of the city are being taught arts and crafts which will occupy their idle minds. But it now seems that the funds for material in connection with that enterprise is not available this year from the city, because we are short of money. Therefore, I personally would hate to vote in favor of this \$20,000 appropriation and the creation of a new job for this poultry experiment at Deer Island when the city is hard put in standing behind this adult recreation project.

Coun. CHASE—Mr. President, I appreciate the fact that Boston is confronted with difficult financial problems, and I have cooperated and will cooperate with his Honor the Mayor on all matters which I feel are beneficial to the city. As a member of this Honorable Body I have given careful consideration to the proposal that the City of Boston accept the ridiculous idea of spending \$20,000 of the taxpayers' money for the dual purpose of giving one man a well-paid job and the prisoners of Deer Island some hens for playmates. We have been urged to adopt this plan because the prisoners of Deer Island will be given a new worth-while industry to learn. It has been contended that the prisoners appointed to care for the hens will, upon finishing their sentence, be eager to start life anew by going into the poultry business. It has been said that the idle prisoners' time will be absorbed by the work required, and last, but not least, that the city will be able to conduct the business without financial loss. In rebuttal, I call your attention to the fact that Boston has lost money for a long time in the prisoners' shoemaking and cloth manufacturing industries. Furthermore, I ask you to consider the words of the poultry expert who is a candidate for the job—that he plans to have about fifty prisoners to have custody of about seventy-five hens, and at the very most each prisoner would not spend more than one hour and a half in the performance of his duties. To my way of thinking an hour and a half work a day is a very short period. What will the prisoners do with the balance of their idle time? Yet we are told that the idle prisoners' time will be fully occupied by this new industry. It is a known fact that practically all of the prisoners on Deer Island are residents of Boston. Will they upon finishing their sentences come back to their homes and start poultry businesses in our back yards? We have a condition existing in several wards in our city which, to my way of thinking, merits more time and money than hens on Deer Island. Several weeks ago I introduced orders in the Council asking his Honor the Mayor to take specific steps to assure the Boston people of clean alleys and streets. The garbage, ashes and filth that are allowed to accumulate in some of the alleys is beyond description. Home owners, taxpayers, the people who pay for municipal management, are continually complaining about the city's failure to make regular weekly collections of ashes and garbage. I have checked into the matter very thoroughly and am convinced that the failure to make regular collections is due to lack of efficient man power. I contend that this problem is a menace to the health of the citizens of Boston, and it should have priority over prospec-

tive hens on Deer Island. A short while ago it was called to my attention that his Honor the Mayor announced his plan to cut off \$18,000 given by the city for adult recreation programs, and thus automatically cancel \$250,000 which the Federal Government gives to the City of Boston each year. This plan calls for the elimination of 250 W. P. A. jobs. Musicians and the like are to be discharged. Our welfare rolls will be increased by these very same people, and the result will be that Boston will not make any saving. Furthermore, Boston's many thousands of unemployed citizens will lose the recreation that we cannot afford to allow them to lose. These people are law-abiding citizens, yet they will lose this recreation, and the Deer Island prisoners will have hens for playmates at a cost of \$20,000 of the taxpayers' money. Boston is a municipal corporation which is supposed to function for the best interests of its citizens. It is, therefore, obvious why I shall not vote favorably on the proposition before us, and I believe that I have given the other members of this body ample reason why they should not.

The order was passed, yeas 15, nays 4:

Yeas—Coun. Agnew, Carey, Englert, Fitzgerald, Galvin, Harris, Hutchinson, Kerrigan, Lyons, Murray, Norton, Rosenberg, Shattuck, Sullivan, Taylor—15.

Nays—Coun. Chase, Fish, Kelly, Wilson—4.

3. Report on message of Mayor and order (referred November 14) amending Compensation and Classification Plans for Officers and Employees of Suffolk County by including position of Supervisor of Poultry and Poultry Raising at annual compensation of from \$2,300 to \$2,800—that same ought to pass.

Report accepted; said order passed, Coun. WILSON calling for the yeas and nays, yeas 15, nays, Coun. Chase, Fish, Kelly, Wilson—4.

4. Report on message of Mayor and order (referred November 14) transferring to Metropolitan District Commission land for traffic circle at intersection of Gallivan Boulevard, Old Colony Boulevard and Neponset avenue—that same ought to pass.

Report accepted; order passed.

5. Report on message of Mayor and order (referred today) appropriating \$12,000 from income of Parkman Fund to be expended under direction of Park Commissioners—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

6. Report on order (referred today) that parcel of land in Hyde Park be transferred to Emma D. Jenkins by city—that same ought to pass.

Report accepted; said order passed, yeas 19, nays 0.

7. Report on message of Mayor and order (referred November 21) transferring land at 202-206 Broadway to Fire Department—that same ought to pass.

Report accepted; said order passed.

8. Report on order (referred today) that Public Works Commissioner be instructed that no snow buttons be issued excepting by yard foremen—that same ought to pass.

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

Coun. FITZGERALD—Mr. President, I would suggest and move that the order be amended so that the buttons will be handled solely by the yard foremen.

Coun. TAYLOR—Mr. President, I would be in favor of that amendment.

The amendment to strike out after the words "yard foremen" the words "or the Employment Bureau," was adopted, and the question came on the passage of the order, as amended.

Coun. WILSON—Mr. President, not expecting it to prevail, but as a matter of record, I would move to amend by adding at the end of the order, "except in a case where any councilor prefers to supervise such distribution in his respective ward."

The question came on Coun. Wilson's proposed amendment.

Coun. WILSON—Mr. President, talking in favor of that proposed amendment, I will simply say that we find here a difference of opinion of members of the Council. It is very obvious that the great majority of the Council prefer the order as originally submitted, but in all fairness, which I trust still exists in America to a minority, I still believe that in such wards as may be represented by councilors who prefer to supervise the

distribution of the buttons in their own wards, that system of distribution should be permitted. I still feel, certainly as far as distribution of the buttons in my own ward is concerned, that if I supervise it, those men in Ward 17 who really deserve the jobs will be given priority. I do feel that in my ward I know the men who should be considered, having some knowledge of their needs and their families and of whether they are the sort of men who, when they have earned money, will bring it home to their families and will not spend it for drink. I know such citizens and in cases where I do not I can readily find out. Therefore, I urge the councilors in the outlying wards of the city to protect the men in their particular wards through their supervision of the distribution of the buttons in those wards.

Coun. SHATTUCK—Mr. President, I believe this matter should be regulated in one way or the other. This is administrative and not legislative work. Our business is the legislative business of the city, and it is not our business to mix in with the administrative job, such as giving out buttons in this way. I am, therefore, in sympathy with the order as already amended, and I am opposed to the amendment just offered by Councilor Wilson.

Coun. ROSENBERG—Mr. President, I am in favor of the amendment proposed by Councilor Wilson. I believe the constituents of the councilors living in the outlying districts are in need of some protection, those who have to come in from the outlying wards to the various yards, and who are in danger of not getting on their behalf a proper pro rating of the distribution of these buttons. We have in the past known of men coming in and saying that they come from a particular ward, where they may not live at all in that particular section or they may even live outside of the city, and it has made equitable distribution to the men very difficult. I believe all people in the city should be given an equal chance to do this work. I believe in many cases the councilors living in a certain district know the people of that district and their needs and their character, and that they are in a better position than anybody else to give out snow buttons to men who need the work and whose families need the money. I hope, therefore, that Councilor Wilson's amendment will prevail.

Coun. CHASE—Mr. President, candidly speaking, I am in favor of Councilor Wilson's amendment, because I believe it is the only fair way to distribute the buttons which will mean that men will get the jobs. There is such a thing as preference being given by those in charge of the sanitary yards, and I have known of that being done on more than one occasion in my district. Therefore, I would not care to have that system exist in so far as my ward is concerned. For that reason, I am in favor of Councilor Wilson's amendment.

Coun. GALVIN—Mr. President, coming into the City Council last year the first thing I was confronted with was this matter of snow buttons. I had many people come to my home in the snow storm. I was given fifty buttons to distribute among one thousand people. After the snow was all cleared away the bills submitted for snow removal work showed that the number employed by the Public Works Department was approximately 3,500. So you can see the relation that the buttons supplied to members bore to the number actually employed in the work. I say that the City Council of Boston should handle all of the buttons or none. How an individual member of the Council can, in the course of two or three hours, select the most worthy of twenty-five or fifty applying to him is beyond me. I am in favor of the order leaving this to the Public Works Department, allowing them to handle the snow removal.

Coun. Wilson's amendment, allowing individual members of the Council, where they choose to do so, to distribute the buttons in their districts was declared lost. Coun. WILSON doubted the vote and asked for the yeas and nays.

The amendment was rejected, yeas 5, nays 14:
Yeas—Coun. Chase, Fish, Kelly, Rosenberg, Wilson—5.

Nays—Coun. Agnew, Carey, Englert, Fitzgerald, Galvin, Harris, Hutchinson, Kerrigan, Lyons, Murray, Norton, Shattuck, Sullivan, Taylor—14.

The order as originally reported and amended by Coun. Fitzgerald was passed.

9. Report on order (referred today) that information be furnished Council *re* names of firms doing business with the city—that same ought not to pass.

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

Coun. ROSENBERG—Mr. President, I move the passage of the order, having stricken out the word "stockholders." I certainly see no reason why anybody should vote against it in that form.

The question came on the passage of the order, and Coun. ROSENBERG asked for a roll call.

The order was rejected, yeas 8, nays 10:

Yeas—Coun. Chase, Fish, Hutchinson, Kelly, Lyons, Norton, Rosenberg, Wilson 8.

Nays—Coun. Agnew, Carey, Englert, Galvin, Harris, Kerrigan, Murray, Shattuck, Sullivan, Taylor—10.

COMMITTEE RE COLLECTING DEPARTMENT.

Coun. KELLY offered the following:

Ordered, That the President of the Boston City Council appoint a committee of five members to wait on his Honor the Mayor to present such information as they may have with a view of obtaining an investigation or reorganization of the Collecting Department.

Coun. KELLY—Mr. President, after what went on in the executive session today, I think I can fairly contend, being a public accountant myself that, as a result of what has been done in the Collecting Department there will be an annual loss to the city, including the loss from hiring these machines and from the supplies used in connection with the machines, of \$12,000 to \$15,000. The collector admitted that there was a loss of \$7,385 to the city, and I claim that the loss will amount to \$12,000 to \$15,000 a year, or for four years from \$50,000 to \$60,000. I maintain that before the inauguration of this system in the Collecting Department, when we were running the department on a country store system, we ran it with fewer employees and at much less expense. Therefore, as this is going to cost the City of Boston \$12,000 to \$15,000 annually, I would like to have the President of the Council appoint a committee of five to wait on the Mayor and show him where he can save that amount of the taxpayers' money annually.

The order was passed.

President KERRIGAN appointed, under the above order, the following committee, viz.: Coun. Kelly, chairman; Englert, Sullivan, Fish, Shattuck.

W. P. A. ADULT RECREATION PROJECTS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to confer with various department heads dealing with the W. P. A. Adult Recreation Projects and to provide sufficient funds in the budget to carry on the recreation projects for 1939.

Ordered, That his Honor the Mayor be requested to provide sufficient funds by transfer to continue the W. P. A. Adult Recreation Projects throughout the city for the remainder of the year.

Coun. ROSENBERG—Mr. President, the W. P. A. Adult Recreation Project is serving a very useful and commendable purpose, particularly with the large amount of leisure time at the disposal of many thousands of persons who are unable to find full-time employment. When we make a résumé of the activities sponsored under the Adult Recreation Project we find that abundant benefits have been derived

by the many persons receiving education in the various branches of this project, and it is a glaring waste of Federal Funds if these activities are permitted to be curtailed or discontinued. I have introduced the two orders requesting his Honor the Mayor to confer with the various department heads connected with, and sponsors of, the programs under the Adult Recreation Project, in order that funds may be made available to carry on the programs that have been in existence during the past few years, and also that steps be taken to include in the budget for 1939 a sufficient sum to insure the continuance of these programs without interruption. A visit to any of the settlement houses in any location of an adult recreation activity will readily demonstrate the value of the continuance of this program. In some of the thickly settled and poorer sections of Boston the institution of this recreational program was the first opportunity of a great many persons to receive instruction in music, arts and crafts, sciences, athletic activities, and many educational subjects, things they have always desired, but for which they have never had the funds. To curtail, or discontinue, this program at this time would mean the discharge from employment of a great many persons now employed as instructors, assistants, attendants, etc., and would also mean the immediate check of the ambition of hundreds of persons now availing themselves of these opportunities for the first time. I trust that as the result of the orders presented, and the facts called to his attention, that the Mayor will immediately confer with those persons in authority and make arrangements with the various department heads to see to it that sufficient funds are made available to continue this very worth-while program.

Orders passed under suspension of the rules.

STATEMENT BY COUNCILOR NORTON.

Coun. NORTON—Mr. President, I ask unanimous consent to make a statement.

Unanimous consent was given.

Coun. NORTON—Mr. President, last Wednesday an unfortunate occurrence took place in my section. An unfortunate, unemployed for years, one John St. Angelo, killed his wife, mother-in-law and himself. A small child who saw the late St. Angelo enter the home with a revolver ran to a nearby tobacco store. The clerk phoned the police. Within two minutes a police car was on the scene as a result of the police radio. The killer had fifty cartridges. He intended to do away with many more people, but the quick arrival of Officers William Hackett and Thomas Carty in the police prowler stopped this. These officers in their conduct upheld the finest traditions of the Boston Police Department. I am requesting Police Commissioner Timilty to commend them for their actions. Six orphan children, ranging in age from eight months to ten years, were left to be cared for. Mr. Howard Rooney of the Welfare Department was on the job furnishing four quarts of milk a day and leaving money for other incidentals. The Family Welfare Society also left food. For two nights six of these youngsters slept in one room. On the third night they were brought to the Boston City Hospital. Mayor Tobin personally gave the word to keep the children there for a time and cut all red tape. Superintendent Manary is personally supervising the care of the youngsters. I am sure that no city of the world could have treated those unfortunate children with more consideration than did the City of Boston.

Adjourned, on motion of Coun. ROSENBERG, at 6.05 p. m., to meet on Monday, December 12, 1938, at 2 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 12, 1938.

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

PETITIONS REFERRED.

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

Claims.

James J. Byrne, for compensation for damage to car by city truck.

Mrs. John P. Doolan, for compensation for injuries caused by an alleged defect at Fuller and Washington streets.

E. J. Fitzgibbon, Jr., for compensation for damage to property at 82 Waldeck street, caused by falling tree.

John Gillispie, for compensation for injuries caused by city truck.

Alice C. Grable, for compensation for damage to property at 30 Jamaica way, caused by ash truck.

David Kasok, for compensation for damage to property at 157-161 Cambridge street, caused by hacking up of sewage.

William and Patricia Keegan, for compensation for injuries caused by city truck.

Ann Krock, for compensation for injuries caused by city truck.

Harriet E. Morse, for compensation for injuries caused by an alleged defect in Dakota street.

James Rooney, for compensation for damage to property at 163 Readville street, caused by Sewer Department.

Annie Sawyer, for compensation for injuries caused by an alleged defect in Welfare Building.

Joseph H. Smallcomb, for compensation for damage to overcoat caused by an alleged defect in Charles street.

Arthur K. Tolman, for compensation for damage to car by fire apparatus.

Cordelia G. Torrey, for compensation for damage to property at 23 Winthrop street, caused by removal of tree.

Lois Torri, for compensation for injuries caused by an alleged defect in Aberdeen street.

William J. Weinr, for compensation for damage to car by city car.

Emile Young, for compensation for damage to property at 298 Kittredge street, caused by defective water pipe.

Executive.

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

Campbell-Fairbanks Exposition, Mechanics Hall, February 4-12, 1939.

Committee on Ordinances.

Petition of Elizabeth Minot for driveway opening at Dorchester avenue and Bailey street, Ward 17.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor December 5, 1938, of George Lea and James Coldiron, to be Weighers of Coal; and Laurence C. Malo, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Taylor and Chase. Whole number of ballots 12; yes 12, no 0, and the appointments were confirmed.

PROPOSED CURTAILMENT OF W. P. A. PROGRAMS.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to immediately contact the W. P. A. authorities at Washington and to urgently request that the ruling calling for the curtailment of W. P. A. programs, in the City of Boston, be rescinded.

Resolved, Whereas, Recent rulings from the State W. P. A. Administration, in response to instructions from Washington, call for drastic reductions in W. P. A. personnel in this city and state.

Whereas, These reductions are to be affected, as follows:

1. All W. P. A. workers eligible for old age assistance or mothers' aid will be dropped from the rolls as of December 31, 1938.

2. Any worker absent on account of sickness for fifteen consecutive days will be dropped and will not be reinstated.

3. No new applications will be accepted for W. P. A. employment, nor will any workers who have already applied be assigned, regardless of their need.

4. Positions made vacant through any of the foregoing policies will not be filled.

Whereas, These rulings will work severe hardships on countless thousands of workers in this city and throughout the state; will add millions in welfare costs to an already overburdened city and state; will destroy the initiative and take away the self-respect of countless worthy, willing and able workers; will pauperize the families of all workers affected; and

Whereas, Such action is unprecedented in the history of relief work projects in this state, and is diametrically opposed to the principles upon which W. P. A. was founded, namely, that those unfortunate citizens, who, through no fault of their own, have been deprived of employment in private industry, should be granted the right to work for a living; therefore be it

Resolved by the City Council of Boston that they hereby register their protest of these rulings, and call upon the national and state W. P. A. authorities to rescind the foregoing orders; and that we urge the National W. P. A. Administration to expand, rather than curtail, the W. P. A. programs in the city and state.

Coun. ROSENBERG—Mr. President, under present conditions it is certainly to be hoped that the W. P. A. program in Massachusetts will not be curtailed, particularly here in Boston. As a matter of fact, such curtailment will result in great hardship to many of the W. P. A. workers in this city, and within the last two weeks I have received many letters, as no doubt other members of the Council have, protesting against such curtailment. Within the last week hundreds of W. P. A. employees of the City of Boston have received notice in regard to the suspension of their work, where they were unable to do certain types of work. Where contact is made with the W. P. A. office on Oliver street, they are obliged to admit that they simply must follow orders. I certainly trust that there will not be further dropping off of W. P. A. employees, and there is also a very important problem arising concerning those who are having old age assistance, who are sixty-five years of age or over, and who are not in physical shape to go out and support themselves. Unless some help is afforded them through the Federal Government we will find such people, as well as widows and mothers and fathers who will no longer be able to support themselves and their children, filling up our welfare rolls. That is going to increase the demands upon welfare in our city and our state to an almost impossible degree. I believe this is not the time to curtail W. P. A. employment. It will work a particular hardship to those unable to get on the welfare rolls, and will add immensely to the burdens of the city. I have in mind also old age assistance, as it will be affected by this situation. There is, therefore, an all-around threat from this proposed cutting down of W. P. A. employment, and it is certainly to be hoped that our W. P. A. quota will not be cut down.

The orders were referred to the Executive Committee.

TRAFFIC CIRCLE USE BY EASTERN MASSACHUSETTS BUSES.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor direct the Boston Traffic Commission to arrange to have the

buses operated by the Eastern Massachusetts Railway, when entering their terminal at Haymarket square, that they be compelled to use the circle which was placed in this section in order that traffic might move more uniformly and for the purpose of avoiding traffic tie-ups and accidents.

Coun. FITZGERALD—Mr. President, as many members of the Council are probably aware, the Eastern Massachusetts Street Railway Company has built a terminal at Haymarket square which, I grant, will add to the prosperity of our city and will be of assistance to our citizens. But it is also the fact that we have spent about half a million dollars to have a traffic circle arranged in that square for the uniform handling of traffic, and that the Eastern Massachusetts Street Railway Company in the use of its terminal is not using that circle, with the result that it ties up traffic and is apt to cause accidents arising from collisions. I have, therefore, introduced this order asking the Mayor to direct the Boston Traffic Commission to arrange to have the Eastern Massachusetts buses, when entering their terminal at Haymarket square, compelled to use the traffic circle, so that the present dangerous condition arising from the fact that they do not now do so may be eliminated.

The order was passed under suspension of the rule.

USE OF FUNDS BY LIBRARY TRUSTEES.

Coun. FITZGERALD offered the following:

Ordered, That his Honor the Mayor direct the trustees of the Boston Public Library, who have in their control a sum in excess of two hundred and twenty-five thousand dollars, to use this money for the reduction of the budgetary requirements for library purposes for 1939, also the twenty-one gifts which amount to \$23,234.89.

Coun. FITZGERALD—Mr. President, if I am correctly informed, the trustees of the Public Library have under their control a sum of something like \$225,000 from gifts of different donors. The purpose of my order is to ask his Honor the Mayor to confer with the trustees of the Boston Public Library with a view to having that money applied to the reduction of the budgetary requirements for library purposes for 1939. That amount includes a sum of \$23,234.89 of income from these different donations or funds. In that way, those who would otherwise suffer from the reduction of the budgetary requirements will not be so disgruntled as they are today. A short time ago his Honor the Mayor refused to grant an increase to the librarian, and I understand that the trustees tapped these funds to make up the amount they desired, disregarding the Mayor and Council. I find that they have this money there, given to them by different people and from different sources with no provisions as to how it should be used, and that they have taken from it a certain amount as they saw fit for salaries. With that amount available, it does seem, with the requirements of the department and the amount necessary to carry on for the welfare of the city, the trustees of the library, who should be the first ones to help the city out in this matter, should comply with this request. For that reason I have offered the order, that his Honor the Mayor be requested to direct the trustees of the library, who have this sum in their control, to use a part of the money, at least, for the necessary running expenses of the Boston Public Library.

The order was passed under suspension of the rule.

APPEARANCE OF REV. MR. KELLETT REQUESTED.

Coun. CHASE offered the following:

Ordered, That the chairman of the Executive Committee be requested to invite Rev. Howard P. Kellett, Episcopal chaplain at the House of Correction, Deer Island, to appear before said committee at the next regular meeting of the City Council in order to substantiate the charges made in his recent statement of alleged conditions existing on Deer Island.

Coun. CHASE—Mr. President, I was prompted to introduce this order because of this article which was published in the Boston *Sunday Globe*.

"HITS INDUSTRIES AT DEER ISLAND. CHAPLAIN SAYS CLOTHING NEEDED, NOT HENNERY.

"Incoming inmates at the House of Correction at Deer Island have had to put on the uncleaned used clothing of discharged men while clothing producing industries on the island have lain idle, Rev. Howard P. Kellett, Episcopal chaplain at Deer Island, charged last night.

"Mr. Kellett referred to the recent City Council action appropriating \$20,000 for the construction of a hennery and the appointment of a poultry supervisor at \$2,500 to run it and declared that 'it is difficult to imagine what good a \$20,000 hennery will do for this most pressing need.'

"He also went on to warn that the morale of Deer Island officers, whose step-rate increases have been withheld, would be lowered as they contemplate the appointment of an officer steward at \$2,600, a job for which they were not permitted to compete by civil service examination or otherwise.

"In his statement last night, Mr. Kellett referred to both positions as 'created jobs.'

"It seems time," he said, "that some one should make a statement concerning conditions at Deer Island." After referring to the City Council's creation of the hennery project and the two new jobs, he said:

"On the surface all this sounds fine. At least, we are told some inmates will be given employment. And as far as Deer Island is concerned this is a good thing, for the lack of employment with its resulting idleness is a very serious problem. But the initial expenditure of \$25,000, which is the cost of these new moves, will effect little good to the evils that exist at Deer Island. As a matter of fact, it will tend to aggravate a situation that has become hardly bearable.

"In the conversations that have been waged about Deer Island we have heard hardly a word about the men who are forced to live in that institution. There was no mention of the fact that the supply of institutional clothing has run out and that men in this cold weather are forced to wear cotton khaki trousers, many of which have not been cleaned in a six months' period. Yes, it has been so bad that for many months inmates coming into the institution had to put on the uncleaned used clothing of discharged men.

"The sad part of this story is that Deer Island has industries which make clothing for the inmates, but due to lack of money and material, these industries have been at a standstill. It is difficult to imagine what good a \$20,000 hennery will do for this most pressing need.

"Another side of this picture which is just as serious as the building of a hennery under present conditions is the creation of these new jobs and the salaries designated for them. Deer Island as an institution is no earthly good if the morale of the officers is low. This state of affairs is bound to develop when officers see new men appointed to created jobs at larger salaries than theirs, when during the past year their step-rate increase was denied them under the guise of economy. It is also pretty hard for officers who have been faithful in their duty to see a guard transferred from State Prison to a position which pays \$400 more than their maximum, and no chance given them even through competition of a civil service examination.

"Conditions at Deer Island are serious, and they will be more serious if these things continue."

"Mr. Kellett joined the staff of the Episcopal City Mission here in November, 1936, to serve as adviser in courts and prisons. He was appointed Protestant chaplain at Deer Island by Mayor Mansfield in 1934."

I was one of the four councilors who voted against appropriating money for a Deer Island hennery. I felt that the expenditure was not warranted, especially in view of the economy moves which have affected many of our municipal departments, particularly the Sanitary Department. I am very much interested in the prison chaplain's statement and since he is a clergyman I am inclined to give credence to his story. So much so that I am of the opinion that we should have this gentleman before us during the next meeting. He may be able to shed enlightenment upon a situation of which we were not aware. Since we appropriate the necessary money for the prison functions we are in no small way responsible for what goes on, therefore I urge you to vote favorably on my order.

Coun. FITZGERALD—Mr. President, I would like to add just a word on this order, as a member

of the Committee on Prisons. The Committee on Prisons some weeks ago made an investigation of conditions at Deer Island, and we then held a public hearing in City Hall at which we had present those connected with Deer Island in an official capacity. We went over the question of the industries at Deer Island and also waited on his Honor the Mayor. We are to have another meeting upon the matter. At the hearing we have already had the evidence was taken down verbatim by our official stenographer, and is a matter of public record. I move, therefore, that this order be referred to the Committee on Prisons.

Coun. GALVIN—Mr. President, I would like to make a brief statement, to put the record straight, in regard to a part of the statement that was made by this clergyman as reported in the paper. An employee referred to, William Ott, as being transferred to the island from State Prison and then being paid more than his boss, had previously worked at the island as a haker and was transferred to the state. It is true that he has now been transferred back to Deer Island, but the fact is that his superior, instead of getting less than is received by Ott, not only is paid his salary at the island but is found. I also feel that the reverend gentleman who made this statement for the paper is receiving \$400 a year for his services at the island, and that he should try to find ways and means to assist the people down there to whom he is supposed to be giving spiritual advice, instead of seeking publicity in the papers.

The order was referred to the Committee on Prisons.

PENALIZATION OF W. P. A. WORKERS.

Coun. WILSON and CAREY offered the following:

Ordered, That his Honor the Mayor be requested to officially confer with W. P. A. authorities in Boston on the question of not penalizing W. P. A. workers who temporarily find or accept private employment and then are refused reassignment on W. P. A.; and further

Ordered, That his Honor the Mayor be requested to instruct the Department of Public Welfare to promptly reinvestigate such cases for immediate certification if again eligible for W. P. A. employment.

Coun. WILSON—Mr. President, this is a matter that, of course, must be familiar to all the members of the Council because I assume that the other members, like myself, have during the past few months received complaints from W. P. A. workers who have been ambitious enough to try to get private employment and because they have been on the level, have as a net result been penalized for what I think we will all consider their laudable ambition. There have been two recent cases which have come to my attention, one of which has been on W. P. A. from May, 1934, until May, 1938, at which time something came up in his own business, in which he was an experienced man, so that he was able to obtain for a time private employment. He so reported to headquarters and was quite properly told by the W. P. A. authorities that he would not only not jeopardize his W. P. A. standing in so doing but, quite properly, would be given a preference when in coming back on W. P. A. when his private employment ceased. He, having been on the level all through, when that private employment ceased, came back looking for help on the W. P. A. The time when he came back was ten days over the six months' period. Apparently, as we were told, the nation had turned the corner. But he was ten days over the six months, and it now appears that, as far as W. P. A. employment is concerned, he is outlawed. The other case is the case of a man who was on W. P. A., with a wife and three children, and who saw a chance for private employment. Instead of trying to steal from the Government, instead of trying to do what, as I understand some W. P. A. workers have done—pull down money from the W. P. A. as well as through the private employment—he stated the facts at headquarters. He was on private employment for three months, and then had to again appeal to W. P. A. He was told when he went back that he would have to be again certified, that he would again have to go through the long, rough road of which we are all aware, applying to Welfare headquarters, being investigated, and so on, and finally, if he had luck, being certified. But he was then told at the outset that the Public Welfare could not again certify him, but that he would have to apply again to the

local W. P. A. headquarters and go through the same rigmarole that he had had to go through in the first place. That is, he suffered this tedious delay all along the line before he was again able to resume his W. P. A. work. To my mind, the whole purpose of the W. P. A. has been to meet the temporary hardship of unemployment, and it would seem as though all this red tape could easily have been avoided, that a man under these conditions should not have been subjected to that sort of thing. My assumption has been that where a man has succeeded in getting on W. P. A. and has had a chance for temporary private employment, he was to be encouraged to accept it, and then when that private employment ceased he was to be placed again as expeditiously as possible on W. P. A., without being blocked and delayed all along the line. We have been given to understand that under the W. P. A. set-up they welcomed a man having a chance to obtain private employment, even for a short time, and that when that employment ceased he could again resume his W. P. A. work. And certainly a man should not be penalized and have difficulty to obtain reassignment on W. P. A. when he has been honest and square, and has told the truth. I feel that the W. P. A. authorities should certainly be as much on the level with men of this type as the men are on the level with them, in not trying to hold two jobs. Therefore, I have introduced these orders, first, that the Mayor be requested to confer with the W. P. A. authorities in Boston on the question of not penalizing W. P. A. workers who temporarily find or accept private employment and then are refused reassignment on W. P. A. and, second, that the Mayor be requested to instruct the Department of Public Welfare to promptly reinvestigate such cases for immediate certification as again eligible for W. P. A. employment. In such cases they are supposed to be at the top of the list, and certainly obstacles should not be thrown in their way. If men are to be discouraged in this way when they have been on the level, naturally, as human beings, in order to play safe, if they are on W. P. A. they will not take temporary private employment, for fear that they will have difficulty in getting back on the W. P. A. after such employment has ceased, and that certainly will not be in the interest of the taxpayer.

Coun. CAREY—Mr. President, I feel that these orders are good ones, and so I was very glad to join Councilor Wilson in the orders. I happened to learn of the case of a constituent of mine last week who was a day over the six months' period in informing W. P. A. officials and had to go through the same process that he went through originally in order to be reassigned to W. P. A. We have often been informed through the newspapers that the W. P. A. authorities welcome men on this who have an opportunity to obtain private employment, advising them to take such employment and telling them that they will have no difficulty when the employment ceases in getting back on the W. P. A. rolls. However, there are these cases that Councilor Wilson has told us about and the cases that have been brought to my own attention, and I fail to see where they are living up to their word when they tell people on the W. P. A. rolls that they will be glad to have them take temporary employment, and that in doing so they will not lose their W. P. A. standing. I certainly trust that the orders will pass.

The orders were referred to the Executive Committee.

STORAGE OF SAND AND CALCIUM CHLORIDE.

Coun. WILSON offered the following:
Ordered, That his Honor the Mayor be requested to refuse the suggested W. P. A. project involving the storage or heating of sand and calcium chloride in four large silos, at an estimated cost of \$150,000, of which \$45,000 is to be paid by the city.

Coun. WILSON—Mr. President, of course we have had no request from the Mayor's office and I personally do not expect to receive one, to pay for four large silos costing \$150,000, as set forth in a recent newspaper article. I understand that it was in connection with the use of sand and calcium chloride for melting snow on city streets. Although I cannot claim to be an accomplished chemist, I cannot believe, even with that newspaper story, that that is something very much in the Mayor's mind. Certainly he cannot have made a final decision along that line because, of

course, anybody who knows anything at all about the subject knows that what melts ice on the road is the action of calcium chloride, and it would be about as intelligent to suggest heating sand for that purpose, directly or indirectly, as to suggest heating our sidewalks. I think possibly what they had in mind was drying the sand by heating it. I have in mind that the Boston Elevated does use dry sand mixed with calcium chloride on its rails in the winter time hut, unless I am very much mistaken, the Commonwealth of Massachusetts would hardly, to put it mildly, even dream of putting such a plan as is suggested here into effect in connection with its over 2,000 miles of roads in the winter time. I believe that they do a thoroughly competent job, and they haven't any silos to heat sand and calcium chloride, or even, I understand, for drying sand. They have stored sand in various locations for their highways, and they do put it in the winter time where it is needed, and I assume that they use calcium chloride, not heated in connection with sand, but for the action that calcium chloride has upon an icy surface in the winter time. So I repeat that I hope the City Council does not seriously intend to suggest a W. P. A. project involving the storage or heating of sand and calcium chloride in four large silos at an estimated cost of \$150,000, of which \$45,000 is to be paid by the city, in dealing with the ice on our streets.

The order was referred to the Executive Committee.

INFORMATION RE OLD HARBOR VILLAGE.

Coun. WILSON offered the following:

Ordered, That the Boston Housing Authority be requested, through his Honor the Mayor, to advise the City Council—

1. The estimated cost of waterproofing or other repair work already necessary at Old Harbor Village.

2. The approximate date on which the thirty-eight apartments which were vacant as of November 17, 1938, will be available for occupancy.

3. Whether it has been necessary to pump water out of any of the basements of the buildings at Old Harbor Village at any time during the current year?

Coun. WILSON—Mr. President, this order grows out of an earlier order of last week. With only 978 out of 1,016 apartments let in the Old Harbor Village project in South Boston, with an estimated life of sixty years, there are still thirty-eight apartments vacant in this project, which was originally opened about the first of May. I knew sometime ago that they were experiencing leakage in those apartment houses, but I purposely refrained from mentioning it at the time I introduced my order; but the manager of the Old Harbor project in the newspaper the following day proceeded to mention it for me. But there are thirty-eight vacant apartments, and several families, I understand, have moved out because the buildings were leaking. My memory goes back to the public hearing we had here awhile ago, in which it was flatly denied that there had been any treatment of the walls of any building at Old Harbor Village on account of leakage, and I was told that any intimation on my part that there was leakage was made out of whole cloth. But there was leakage then, and that leakage has since been admitted by the manager, Mr. Meade. I am interested to know why the true condition of those buildings was not disclosed to the Boston Housing Authority before they took charge of the project, because this leakage proposition is not particularly new. I have been accused of being unduly in opposition to the housing project generally, because of the position I have taken, but I still insist that the Boston city government and the taxpayers, who must spend money for these housing projects, have a right to demand that those in charge at least be on the level with the public in regard to these projects in different places. And with the \$19,000,000 proposed for four new projects, we are still, Mr. President, not going to take care of the 50,000 poor families on public aid and welfare, because, although there are 33,000 families in Boston of the so-called middle class, making between \$25 and \$30 a week, they tell us that these four projects will take care of hut 3,133 families, and those are not the poor families that we had supposed would be given particular attention, but they are families with a permanent

income of \$25 or so a week. That is, those 3,133 families who are getting that income are the ones for whom \$19,000,000 is to be spent, with no attention whatever being paid to the 50,000 poor families in the City of Boston. We have been told that 40 per cent of the people on Mission Hill, where the project there is to be installed, are welfare cases, and that they will have to be moved out of the location at their own expense, and they will presumably move to Councilor Fitzgerald's ward or some other ward where there are low-rent locations. But I have particularly in mind the Old Harbor Village situation at the present time. While this order is concerned primarily with certain definite questions in regard to the Old Harbor Village project, as set forth, I also have in mind one or two other things at this time. One is the thieving that is reported over there, not alone of laundry but even of baby carriages, such thieving as would never have happened in buildings run by a private landlord. Certainly families going into a project like that have a right to expect that they will be protected against persistent thieving of that kind in the basement of the various buildings. When the Old Harbor Village project was first suggested, the original impression they attempted to give to us was that this was a sort of Utopia for the poor, or moderately poor, where they could go with their little ones, have refrigeration and some of the improvements of modern life, and where they might expect that they would not be subjected to the harshness of the private owner who does expect within a reasonable time the payment of his rent. So I was somewhat surprised when I had called to my attention an instance of a man and his wife who moved into the Old Harbor project as early as the first of September, who remained there and paid his rent through September, October and into November, when the man suddenly found himself temporarily up against it. It seems that he lost his job about the fifth of November. Of course, that was not his fault, and he might naturally expect in any privately owned house, under the circumstances, that the owner might tide him over until he got another job, which he was anxiously seeking, which would bring him in \$25 a week. But he went around to the manager on the fifth of November and told him that he had lost his job temporarily but that he was looking around and expected to get employment very soon. As a matter of fact, he did so, and very soon, within about thirty days. But in the mean time, on the third of December, he got this notice from the manager of the project:

NOTICE OF TERMINATION OF LEASE AND TO VACATE PREMISES.

December 3, 1938.

"Dear Sir and Madam:

You are hereby notified to quit and deliver up possession of, and to vacate, the premises located in Old Harbor Village, South Boston, Massachusetts, designated as apartment 514, 15 Gavin Way, occupied by you as the tenants of the Boston Housing Authority pursuant to dwelling lease, contract No. 757, dated September 1, 1938, with starting date September 1, 1938, upon expiration of fifteen days from the receipt by you of this notice, at which time the tenancy created by the said lease is hereby terminated.

BOSTON HOUSING AUTHORITY,

By JOHN J. MEADE,
Housing Manager."

In other words, this is no Utopia, as it is evident that it is not housing for the poor of Boston but for the middle class. Of course, there it comes in direct competition with the average private owner in Boston, no one of whom, I venture to say, would treat a tenant in that way, with that sort of notice, to get out in fifteen days. A private owner would at least give a month to a man to turn around. I may frankly admit that as a tenant I have not always paid right on the line on the first of the month, and I venture to say that no man in this room has, and it is rather astounding to see that those occupying this housing project are treated in such a hard-hearted way, being given on the third of December notice to move out in fifteen days, just before Christmas, in this year of our Lord nineteen thirty-eight. That is not an isolated instance. I have in mind another case of a man, wife and three children. It seems that the first of October fell on Saturday. The man had to work early on Saturday, and when he went around to the office to pay his rent, it was closed. It does seem that on Satur-

day they might keep open a few extra hours, but the man was told that they would not be open until Monday. The girl in the office said that he would have to see Mr. Meade, and then he got quite a raking over the coals, being told that it would make it necessary to report to Washington and that the family would not be in very good odor with the Federal authorities. I think the time for this sort of thing has passed. Therefore, I trust that we will refer this order to the Executive Committee and have before us some representative of the Housing Authority to explain these things. Certainly in these days I think we have a right to expect that the managers of the Old Harbor Village project, this Federal housing, will show at least as much as the milk of human kindness as we expect from the average private property owner.

The order was referred to the Executive Committee.

TAXICAB STANDS.

Coun. WILSON offered the following:

Whereas, A law proposed by initiative petition, which reads as follows:

"An Act with Relation to Public Stands for the Use of Taxicabs and Motor Vehicles for Hire in Cities and Towns.

Be it Enacted by the People and by their Authority.

In any city which accepts the provisions of this act by vote of its city council, or in any town which accepts the provisions of this act by a majority vote of the qualified voters present and voting at an annual town meeting, the licensing authorities for licensing taxicabs and motor vehicles for hire shall establish, for the use of taxicabs and motor vehicles for hire licensed within such city or town, public taxicab stands on any public highway within such city or town, and shall abolish all other taxicab stands on any public highway within such city or town.

Such public taxicab stands shall be free and accessible to all taxicabs and motor vehicles for hire whose owners are licensed by said licensing authorities."

was approved by the voters at the State Election held November 8, 1938.

Ordered, That the City of Boston hereby accepts the provisions of said act.

Referred to the Committee on Public Safety.

CARE OF PERSONS INJURED IN ACCIDENTS.

Coun. CAREY offered the following:

Ordered, That the trustees of the Boston City Hospital be requested, through his Honor the Mayor, to devise some plan where by persons injured in accidents, where possible insurance adjustment is pending, may be cared for in the Out-Patient Department of the City Hospital.

Coun. CAREY—Mr. President, my purpose in introducing this order is to take care of people who are injured, who need hospital treatment, and who cannot afford to remain at the hospital, but who might be taken care of in the Out-Patient Department of the City Hospital, where possible insurance adjustment is pending. There are many of these cases where insurance adjustments are pending for injuries sustained. I know of a case last week where a young man was injured in an automobile accident and confined at the City Hospital for a certain period of time. He was then discharged from the hospital and sent to the Out-Patient Department. The Out-Patient Department of the hospital, however, refused to treat this young man. It so happened that, because of financial circumstances, he was not able to go to a doctor's office and receive treatment. I feel that some help should be afforded these people, that some system should be provided by the Hospital Trustees whereby the necessary attention can be given until the person's wound and injury are healed. It might be that the trustees feel that there should be a charge of, say, 50 cents made in such cases; but, at any rate, some relief should be afforded these people who are not able to contract hills. I therefore ask for the passage of my order.

Coun. AGNEW—Mr. President, do I deduce from the order that a patient in need of hospitalization has been refused by the City Hospital because there was a potential claim for those injuries?

Coun. CAREY—That is right.

Coun. AGNEW—Well, I think attention of the trustees of the City Hospital should be called to the matter whether the patient has a potential claim against an individual or otherwise. If a patient is in need of hospital attention, I don't think the councilor's order should have to be introduced in the City Council. As I understand it, that is what our City Hospital is supposed to do, and I don't believe that an order passed by this body is even necessary.

The order was referred to the Committee on Hospitals.

COLLECTION OF ASHES AND GARBAGE, WARD 10.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to devise some plan for the better and speedier collection of garbage and ashes in Ward 10.

Coun. CAREY—Mr. President, during the past few weeks situations have arisen many times indicating a neglect in the collection of ashes and garbage in the Ward 10 district. In the meantime we will admit the city was confronted with a snowfall that for a day or two might have affected the collections of this refuse material; however, the neglect has existed both before and since this snow storm. The Finance Commission has recommended to the Mayor that city-wide collections of garbage and ashes be made by contractors; however, I understand that even in the districts where this work is now being done by contract that collections get behind schedule. Before entering into any city-wide contracts for these collections perhaps it might be well for the Public Works Commissioner to work out some other system, and I have in mind the possible mobilization of the city's trucks in certain districts on certain days of the week, together with a mobilization of the city's man power now employed in this work in these same districts on these same days. By having all of these trucks and all of these men working in one particular district on a particular day, instead of having the equipment and men spread around various districts we might find this mobilization system to be expeditious, money saving, and quite satisfactory.

The order was passed under suspension of the rule.

REMOVAL OF ASHES AND GARBAGE, WARD 12.

Coun. TAYLOR offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to enter into a contract for the removal of ashes and garbage by contract services in the Ward 12 district of Boston during the year 1939, and dispense with the present method of collecting same by welfare recipients.

Coun. TAYLOR—Mr. President, the conditions with respect to the removal of ashes and garbage in Ward 12 during the last couple of months have been abominable. Most of the taxpayers in that vicinity have called me on the telephone or spoken to me personally in reference to those conditions. I got in touch with the Commissioner of Public Works, who informed me that he would try to do something to assist in removing or alleviating conditions there, but he also informed me that after the first of the year that trouble would be over, as he contemplates entering into a contract with some disposal company for the removal of ashes and garbage. I have now learned, however, from the Public Works Commissioner that it is not going to be done, but that the same kind of service is going to continue. I have spoken to the Commissioner of Public Works about it, and he informs me that he cannot get a sufficient number of men from the Welfare Department to carry on his program. So that leaves the streets of the city covered with litter and refuse. Surely, this condition cannot continue to exist. We cannot allow the really fine sections of the city to be filled with litter and refuse, and have the children playing in it. I don't know why that method has to be used for the collection of our garbage and ashes. I cannot see for the life of me why there should be an attempted economy in such collection where the interests of our citizens and taxpayers are to be

considered. I think generally each ward has a contract given for such collection to some disposal company or to some regular individuals who do that kind of business. Our district has always been a good taxpaying district. We have there fine property with a high valuation, and I believe the citizens have a right to expect in return for their payment of taxes the regular and proper removal of their garbage and refuse.

Coun. FITZGERALD—Mr. President, I sympathize with the councillor from Ward 12, but I cannot put my vote of approval on the work being taken away from the welfare recipients and let out by contract. Therefore, when the vote is taken I would call for the yeas and nays.

The order was referred to the Executive Committee.

REPORT OF COMMITTEE ON ORDINANCES.

Coun. MURRAY, for the Committee on Ordinances, submitted the following reports on petitions for driveway openings:

Petition of Gulf Oil Corporation (referred October 17), 103-107 Kneeland street—that leave be granted.

Petition of M. Gertrude Godvin (referred November 21), 200 Pond street—that leave be granted.

Petition of Liberty Realty Trust (referred October 17), at 600 Centre street—that leave be granted.

Petition of Thomas F. Friel (referred October 17), at 34 Billerica street—that leave be granted.

Petition of Capitol Oil Company (referred November 28), at 1395 Columbus avenue—that leave be granted.

Reports accepted; leave granted on usual conditions.

RELIEF OF TRAFFIC CONGESTION.

Coun. FITZGERALD offered the following:

Ordered, That the President of the City Council appoint a special committee of five members to confer with the Boston Traffic Commission and the Boston Police Department for the purpose of devising plans to relieve the traffic congestion in the City of Boston.

Passed under suspension of the rule.

Later in the session, President KERRIGAN appointed as said committee Coun. Fitzgerald, Shattuck, Fish, Taylor and Irwin.

CHRISTMAS ALLOWANCE TO WELFARE FAMILIES.

Coun. IRWIN offered the following:

Ordered, That the trustees of the Public Welfare Department be requested, through his Honor the Mayor, to provide an additional allowance of \$5.00 to each family receiving welfare assistance, for the purpose of purchasing a Christmas basket.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. IRWIN, 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. HUTCHINSON, for the Committee on Claims, submitted a report on petition of Daniel A. Whelton (referred November 14), recommending reference to Executive Committee.

Report accepted; said reference ordered.

REQUEST TO SUSPEND SHUTTING OFF WATER DURING HOLIDAYS.

Coun. FISH offered the following:

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

suspend the present system of shutting off water for unpaid water bills during the Holiday Season.

Passed under suspension of the rule.

TRAFFIC CONGESTION, DORCHESTER AVENUE AND BROADWAY.

Coun. MURRAY offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to devise some method to relieve the present congested traffic condition at the junction of Dorchester avenue and Broadway, Ward 6.

Passed under suspension of the rule.

POSSIBILITY OF TAXING NATIONAL CORPORATIONS.

Coun. GALVIN, IRWIN and SULLIVAN offered the following:

Ordered, That the Corporation Counsel of the City of Boston be requested, through his Honor the Mayor, to investigate and report to the City Council the possibility of collecting taxes from approximately one hundred and fifty national corporations, with registered offices and doing business in the City of Boston.

Referred to Committee on License Fees.

LAND DAMAGE CASES AGAINST CITY.

Coun. GALVIN offered the following:

Ordered, That the Corporation Counsel secure the authorization to try all land damage cases against the City of Boston which are now pending in the offices of the Attorney-General.

Referred to Executive Committee.

FAILURE TO COLLECT ASHES AND GARBAGE REGULARLY.

Coun. CHASE offered the following:

Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to advise the City Council of the reasons why the Sanitary Department has consistently failed to make regular collections of ashes and garbage.

Coun. CHASE—Mr. President, I feel that I can properly complain about the Sanitary Department not making regular collections of ashes and garbage, not only in Ward 4 but in all the surrounding wards. I am rather surprised that some of the other wards, or Dorchester and other sections, have also been so affected. I feel that the Sanitary Department is one of the most vital departments, one of the most necessary to the health of the City of Boston. The failure of that department to make regular collections of ashes and garbage is a menace to the health of the people of Boston. It is a serious problem, and I hope before the Mayor tackles anything else he will deal with this situation, because the people who pay the bills are the ones who are most affected by this negligence.

The order was passed under suspension of the rule.

FEDERAL FUNDS FOR WEST ROXBURY LIBRARY.

Coun. LYONS offered the following:

Ordered, That his Honor the Mayor be requested to take up with the W. P. A. authorities in Washington the matter of obtaining sufficient funds to remodel the abandoned school property at Washington and Stimson streets, West Roxbury, for use as a branch library and hall.

Coun. LYONS—Mr. President, at the first of the year I introduced an order calling attention to the lack of library facilities in that section of Ward 20. In that vicinity they have not a hall or library or anything at all that other parts of Boston have. They are in the back woods as far as such facilities are concerned. There they are, right in the City of Boston, without a branch library where people can go in and get books. The nearest library for these people is at Roslindale square, a distance of three and a half miles, or West Roxbury, another three miles. I think

that the library officials, through his Honor the Mayor, should take a hand in this matter, especially where in the next two years there will probably be money available to remodel this abandoned school property at Washington and Stimson streets for use as a branch library; and I also trust that there will be some sort of hall there where people can't congregate and talk over civic matters, instead of having to go into private halls and pay a large fee for the use of them. This particular section seems to be isolated from any other part of Ward 20, and it should be given some sort of consideration along this line, because the people there are taxpayers and home owners, and are entitled to such consideration.

The order was passed under suspension of the rule.

BOOKS FOR BRANCH LIBRARY, WEST ROXBURY.

Coun. LYONS offered the following:

Ordered, That the trustees of the Boston Public Library be requested, through his Honor the Mayor, to include in their budget for the coming year a sum sufficient to provide books for a branch library in the abandoned school property at Washington and Stimson streets, Ward 20.

Passed under suspension of the rule.

FEDERAL FUNDS FOR POLICE STATION, WEST ROXBURY.

Coun. LYONS offered the following:

Ordered, That his Honor the Mayor be requested to take up with the W. P. A. authorities in Washington the matter of obtaining sufficient funds for the erection of a new police station in West Roxbury, the same to include a shooting gallery in the basement.

Coun. LYONS—Mr. President, just a word in regard to the purpose of that order. The accommodations at present in the West Roxbury police station are inadequate and out of date. The stairs are so rotten that they are falling down. There is constant fear that something will happen to it overnight. It is a regular central police station for the district, so to speak, and there should be a new, up-to-date police station there, which would include a shooting gallery in the basement, a modern, up-to-date building. I feel that under a W. P. A. plan of construction it can be done, if taken up at the present time, but after 1940 the City of Boston will have to pay dollar for dollar, instead of availing itself of the present arrangement. I think this would be very beneficial to the district and to the City of Boston, and therefore I have asked his Honor the Mayor to look into the matter, taking it up with the W. P. A. authorities in Washington.

The order was passed under suspension of the rule.

RECESS.

The Council voted at 3.10 p. m., on motion of Coun. ROSENBERG, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 4.27 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, for the Executive Committee' submitted the following:

1. Report on order (referred today) that Mayor be requested to contact W. P. A. authorities, requesting rescission of ruling for W. P. A. program curtailing—that same ought to pass.

Report accepted; said order passed.

2. Report on petition of Daniel A. Whelton (referred today)—recommending the passage of the following:

Ordered, That the sum of twelve hundred and forty dollars be allowed and paid to Daniel A. Whelton in reimbursement for amount of premiums paid by him on his bond as Special Sheriff of Suffolk County, said sum to be charged to the Contingent Fund.

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

Coun. SHATTUCK—Mr. President, I think we should not pass this order at the present time. I believe, in the first place, that we should have a definite opinion from the Corporation Counsel as to the validity of the claim. Then we should have an inquiry made as to whether there are many other deputy sheriffs who have similar claims, and what they are, in order that we may treat all alike. I believe that where a man has slept on his rights for fourteen years he should not be given recompense beyond the six-year period of the Statute of Limitations, the purpose of which is to quiet old claims. If we follow out this present plan we might be continually running into claims for perhaps one hundred years, or more, back. The Statute of Limitations has been in existence for a long time, in fact, practically speaking, we have always had it. It has become a rule and policy of law. In order that we may have the opinion of the Corporation Counsel, I move that this matter lie on the table for one week.

Coun. FITZGERALD—Mr. President, while I agree generally with the attitude of the worthy councilor from Ward 5 in regard to the purpose and effect of the Statute of Limitations, I think this claim comes into a very definite and different category. Here is a matter concerning which the Legislature passed a special act in 1924. Of course, we know about the ordinary questions that are settled under the Statute of Limitations, where people concerned consult attorneys and know their rights. But here the Legislature passed this act in 1924. This man did not take advantage of it, although some who were interested may have taken advantage of it. But this man did not realize what his rights were until he sent a check and the bonding company discovered the error. All this time he has paid out his money and paid religiously. Having done that, having strictly performed his duty in that respect as an honest man of the old school, and, particularly, having in view the act of 1924, I don't think he should be penalized. Of course, when this is brought to the attention of the Mayor he will get the opinion of the Corporation Counsel, but the auditor was present in committee and stated to the committee that he felt that the Statute of Limitations in such a case did not apply to the sheriff of the county, in view of the Acts of 1924. I think we should pass this order here today. If you lay it over, that means delay. We are getting near the close of the year and there may be difficulty in keeping the order alive. It is different from any other claim that might be raised. The statute of 1924 was intended by the Legislature to apply to just such cases, and I certainly trust that the order will be passed.

Coun. TAYLOR—Mr. President, if we intend to open the door of the treasury of the City of Boston to pay out claims for which we may be morally liable, I am afraid that the treasury would not be able to stand it. Here we are proposing to pay out money in this way, when we cannot get the money for important civic purposes. We cannot get the \$10,000 or \$15,000 that we should have for traffic lights, for the benefit of people who live in our districts, and yet we are now asked to pay money to deputy sheriffs whom we all know have been drawing down grand salaries all these years, just because they forget their legal rights. As to the city being liable, I have in mind the case of a man injured by a city automobile. This young man was knocked down and injured and because the particular department was not an income department of the city he had no legal status. Suit was brought against the driver, under the statute by which an employee of the city who has a judgment against him in such a case may be reimbursed. But after judgment and execution, the Law Department politely informed the claimant that the person operating the car was not a regular employee of the city, but a man on welfare. As a result, the injured man had no legal status and obtained nothing for the injuries he had received. If there was ever a debt for which the city was morally liable, that certainly was one. Now we have the claim of a gentleman who has been receiving a large amount in fees, the total of which we do not know, in addition to his salary. If we are going to pay on account of moral liability in such a case, we are going to open the door for these other cases such as I have referred to. Here are these deputy sheriffs, earning nobody knows how much money. They are private funds, and we have no jurisdiction over them. I think this

gentleman should have filed a petition not for \$1,240, but for \$600. He has slept on his rights, of which he should have been fairly cognizant under the law. I don't think we should open the door to such an extent as to possibly bankrupt the city by paying claims of this kind.

Coun. MURRAY—Mr. President, I am sorry that I have to disagree with the councilor from Ward 12 (Coun. Taylor). I must agree with the facts as set forth by the councilor from Ward 3 (Coun. Fitzgerald), feeling that the city is morally responsible for the claim. There is no question as to the liability of the city for \$600, for the six years that must elapse before the statute is in vogue. We know that he is entitled to that, and we also know that if he had taken advantage of his rights earlier, the City of Boston would have been compelled to pay. I believe at this time, in the case of such a faithful public servant, we should not deprive him of the right to obtain a return of the money that he has paid. It represents a moral obligation on our part, and I feel that the city should pay it.

Coun. WILSON—Mr. President, I personally have the highest regard for former Acting Mayor Whelton. I am one of those who believe that the city can well set an example to private industry in observing its moral obligations and not taking advantage of technicalities. It may well be that under the Statute of Limitations a portion of this money would not be paid, but I still think there is a moral obligation on the part of the city to reimburse the deputy sheriff and that the petitioner should receive the amount that he claims.

The motion to assign the matter to the next meeting was declared carried. Coun. MURRAY doubted the vote and asked for the yeas and nays.

Assignment to the next meeting prevailed, yeas 12, nays 6.

Yeas—Coun. Agnew, Carey, Chase, Englert, Hutchinson, Kerrigan, Lyons, Rosenberg, Shattuck, Sullivan, Taylor, Wilson—12.

Nays—Coun. Fish, Fitzgerald, Galvin, Irwin, Kelly, Murray—6.

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

Campbell-Fairbanks Exposition, Mechanics Hall, February 4-12, 1939—recommending that leave be granted under usual conditions.

Report accepted; leave granted under usual conditions.

THE NEXT MEETING.

It was voted, on motion of Coun. FITZGERALD, that when the Council adjourns it be to meet on Monday, December 19, 1938, at 1 p. m.

LEGALITY OF WHELTON CLAIM.

Coun. SHATTUCK offered the following:

Ordered, That the Corporation Counsel be requested to advise the City Council concerning the legality of the Whelton claim, and concerning the city's possible liability on other claims for reimbursement of bond premiums by other deputy sheriffs.

Passed under suspension of the rule.

TRANSFER FROM WELFARE RENT FUND.

Coun. NORTON offered the following:

Ordered, That the Mayor of Boston consider the advisability of transferring \$150,000 from the Welfare rent fund to cut the expenses of operation of the South Boston Housing Unit in half, so that the average rental will be reduced from \$26-odd to \$13-odd and thus ensuring that only those who now live in real slums, such as many old age pensioners and mothers' aid cases, will benefit.

Coun. NORTON—Mr. President, there has been so much agitation against the first housing project of the kind in Boston that I think the friends of such projects should take cognizance of the opposition. I fear that if the South Boston unit is not properly operated it may be a blow to the whole slum clearance idea in Boston. Therefore, this is a matter that should be properly ironed out. Of course, the first unit in such an undertaking makes a lot of errors, mistakes, which unfortunately tend to injure the whole

housing idea. So I trust that something may be done to help out on that South Boston project, and if such is the case there will not be so much opposition to the other housing projects. But if something is not done to remove the prejudice that has been caused in some minds in regard to the South Boston project there will not be so many people anxious to go into these other units. I believe that in the order I have offered a solution is suggested. The average rental in South Boston today is about \$26 and some odd cents. \$300 a year is necessary to pay for the upkeep of an apartment over there, with gas, electric light, repairs and salaries, under the Stieggall Act. I am informed by the Administrator of Federal Housing that there is nothing to prevent the City of Boston from appropriating a part of that \$300, as suggested in this order, so that the very poorest of the poor can go in there. We have 12,400 old age pensioners on our rolls in Boston. I am sure that hundreds of them are living in homes that are cold, unfit for them to occupy. They cannot occupy the apartments over there in South Boston now, on account of the expense, \$26-odd, but if some such provision is made as I have suggested in this order, transferring \$150,000 from the Welfare rent fund so as to cut the expenses of operation of the South Boston housing unit in half, the average rental will be reduced from \$26 to \$13-odd, thus ensuring that only those who now live in real slums, such as many of the old age pensioners and mothers' aid cases now occupy, will be benefited. In other words, such people cannot now pay the rental in South Boston, but if some such action as I have proposed in this order is taken we can accommodate there many old age pensioners and mothers' aid cases, and perhaps some of those on welfare. I am convinced from the opposition we have heard to these housing projects that unless something of this nature is done, the housing program in Boston will be crippled. To sum up briefly, I suggest that we take \$150,000 of the \$3,000,000 now being spent in Welfare on rent, and see if it is not possible to take such cases as I have referred to over there. Then, nobody can say that those living in the South Boston project are folks who should not be there. The order was referred to the Executive Committee.

STATEMENT BY COUNCILOR NORTON.

Coun. NORTON—Mr. President, I ask unanimous consent to make a statement. (No objection.) In regard to the eviction of one tenant in the Old Harbor Village project, I understand that it was a mistake.

Coun. WILSON—Mr. President, I would like to ask the gentleman a question, if he will yield. Is he authorized to appear for the Housing Authority?

Coun. NORTON—Mr. President, I make no such statement. I am here to state, for purposes of the record, information that I have received in regard to this matter, so that it may not be misrepresented in the press tomorrow morning. I have found from my own investigation the reason for sending that eviction note. It was a mistake.

Coun. WILSON—Mr. President, another question—Why should one member of the Council be given such an explanation, instead of the twenty-two members?

Coun. NORTON—Any one of the twenty-two councilors could have obtained the same information that I did, if they had sought it. It was a mistake, that is admitted, a clerical error. I received the information over the telephone.

Coun. SHATTUCK—Mr. President, apparently the gentleman went to the telephone and obtained the information. I would like to know from whom the information was obtained, and what authority he has to say that it was a mistake.

Coun. NORTON—I haven't the authority to divulge the name of the person who gave me the information. I have no authority whatever, except that I am standing here and giving the information that was given to me, which I believe will be eventually proved to be correct. It was information that any other member might have obtained. Why are you gentlemen so anxious to keep out of the record unofficial statements?

Coun. WILSON—Well, I think there might be a statement as to what the clerical error was. On December 3 the tenant was informed that fifteen days after the sending of the notice he was

to vacate the premises. There have been numerous families in South Boston who have been at times back in their rent, and their landlords, private property owners, have not pushed them in any such way as this. In one case with which I am familiar, the father lost his job, and the landlord was instrumental in obtaining him another job. But private landlords are not as a rule sending out peremptory notices of that kind, telling a tenant to get out in fifteen days. Certainly, the ordinary tenant might expect at least thirty days' notice, and I feel sure that the Mayor of Boston, if he could by the exercise of his authority stop a thing of this kind, would not allow it, that he would not be a party to such procedure. I would also like to know why a man who signed such a notice will not come over here before us and answer a question.

Coun. NORTON—I am sure that he will when he receives authority from the Chairman of the Board, who happens to be out of town.

CHANDLER'S POND, BRIGHTON.

Coun. SULLIVAN offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to take such steps as may be necessary to establish a bathing surface, skating rink and recreational center at Chandler's Pond in Brighton, recently taken over on tax lien by the City of Boston, and to prepare same for skating during the present season, the expense of this improvement to be taken care of by W. P. A. funds.

Coun. SULLIVAN—Mr. President, that order is substantially in accord with one introduced a year ago by my predecessor, which received unanimous commendation at that time from the people of the district. I am now repeating what he did at that time, believing that what is proposed in this order will be a fine thing for the district. The property where this project would be carried out has recently been taken over. I would like to see the order adopted unanimously.

The order was passed under suspension of the rule.

EVICCTIONS AT OLD HARBOR VILLAGE.

Coun. WILSON offered the following:

Ordered, That until the next meeting of the City Council, the Manager of Old Harbor Village, through his Honor the Mayor and the Boston Housing Authority, he requested to institute no eviction proceedings against any tenants at Old Harbor Village.

Coun. WILSON—Mr. President, I wish to make a brief statement for the record. When I arrived this afternoon, shortly after two o'clock, I asked Mr. Sughrue to contact the Manager of the Old Harbor Village housing project, Mr. Meade, who signed the eviction notice which I have already quoted. Several calls elicited the information that he was busy on some furnace work and could not be relieved. I thought that the heating there was from some central power house, but I understood that he was doing some furnace work and that they couldn't even find him, perhaps because he is behind one of the furnaces. I understand, however, that the secretary says that no employee of the Housing Board can be given permission to attend a meet-

ing of the Council without specific authority from the Housing Board. That is a little surprising to me, because after eleven years of service here for the City of Boston I cannot put my mind back to a single instance where any department of the City of Boston ever refused to allow any employee of the city to attend a meeting of the Council or of the Executive Committee to answer personal inquiries on matters in which the city is financially interested. That makes it all the more amazing that the Housing Authority of the City of Boston should take its present attitude. I realize, of course, that the City Council has no right to confirm the appointments by the Mayor of any department head of the city, but I realize that the appointing power of the Housing Authority is in the Mayor and Council, acting jointly. So that particular organization stands in a different position from even the average city department. I have introduced the order for this reason, that I have in mind the eviction order I have already read, dated December 3, giving the occupant over there fifteen days to get out, on the 18th, the day before our next meeting, and, incidentally, the day starting Christmas week. Bearing in mind, a notice of that kind, I do not want to take the risk of eviction proceedings over there taking place before our next meeting, when questions concerning the management of the project over there are pending. And let me say that I am going now to guarantee the payment of the rent of this family, if necessary, to prevent that eviction order being carried out in Christmas week.

Coun. NORTON—Mr. President, for purposes of the record, let me say that I don't believe we should invite any employees of the Housing Authority here without doing it in a proper manner, through the Chairman of the Board. I don't blame such a man for not coming in. He very likely might be afraid to come unless his superior gave him authority to do so. He would feel the same as you or I or anybody else. You cannot blame him for doing what you or I would do under analogous circumstances.

The order was passed under suspension of the rule.

ACCEPTANCE OF LILLY 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 Lilly street, Ward 7, as a public highway, under the W. P. A. plan of construction.

Passed under suspension of the rule.

HALF-DAY FOR CHRISTMAS SHOPPING.

Coun. GALVIN and IRWIN offered the following:

Ordered, That his Honor the Mayor be requested to instruct the various department heads to grant a half-day, without loss of pay, to all employees to permit them to do their Christmas shopping.

Passed under suspension of the rule.

Adjourned, on motion of Coun. CHASE, at 5.15 p. m., to meet on Monday, December 19, 1938, at 1 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 19, 1938.

Regular meeting of the City Council in Faneuil Hall at 1 p. m., President KERRIGAN in the chair and all the members present.

QUALIFICATION OF COUNCILOR LANGAN.

Notice was received from the Board of Election Commissioners that at special city election held December 6, 1938, in Ward 19, for one member of the City Council to fill unexpired term, James M. Langan of 10 Rockview street was duly elected.

The following was also received:

City of Boston,
Office of the Mayor, December 15, 1938.
To the City Council.

Gentlemen,—You are hereby notified that James M. Langan, having been duly elected to be a member of the City Council from Ward 19, to fill a vacancy, this day appeared and took the prescribed oaths of office as such member.

Before me,

MAURICE J. TOBIN, Mayor.

President KERRIGAN—The Chair, speaking for all the members of the Council, hopes for the new member a very successful and happy year.

The communications were placed on file.

APPOINTMENTS BY THE MAYOR.

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

Weighers of Coal: H. Bloom, 27 Bradshaw street, Dorchester, Mass.; Primo Barile, 24 Dewey street, Roxbury, Mass.; William N. Burns, 23 Gloucester street, Arlington, Mass.; Walter T. J. Keddy, 24 Rich street, Mattapan, Mass.; Robert Perkins, 55 Concord street, Gloucester, Mass.
Weigher of Coal and Coke: Fred Holway, 10 Milton street, Arlington, Mass.

Severally laid over a week under the law.

ARC LIGHT, WARD 15.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Public Works Commissioner relative to your order of November 21, 1938, concerning the installation of an arc light in front of 79 Norton street, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
December 15, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received copy of the following order that was passed in the City Council on November 21:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to install an arc light in front of 79 Norton street, Ward 15."

We are unable, due to the lack of funds, to comply with the provisions of this order at this time. I should be glad to consider this matter in 1939, in the event that the necessary funds are available.

I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

PARKING, GREEN STREET, WARD 11.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the chairman of the Boston Traffic Commission relative to your order of October 31, 1938, concerning the prohibiting of parking in the right-hand side of Green street, Ward 11, from Washington street to Centre street.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, December 10, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—Further answering Council order dated October 31, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to prohibit parking in the right-hand side of Green street, Ward 11, from Washington street to Centre street, in order to eliminate the present danger to pedestrians and motorists",

at a meeting of this commission held on December 8, 1938, it was voted to prohibit parking in the north side of Green street, Ward 11, from Washington street to Centre street, effective December 26, 1938.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Placed on file.

SURVEY OF LIGHTING CONDITIONS, WARD 15.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Public Works Commissioner relative to your order of October 31, 1938, concerning the making of a survey of lighting conditions on Percival and Fox streets, Ward 15.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
December 15, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received copy of the following order that was passed in the City Council on October 31:

"Ordered, That the Public Works Commissioner be requested, through his Honor the Mayor, to make a survey of lighting conditions on Percival and Fox streets, Ward 15, with a view of remedying present hazardous conditions."

Due to the lack of funds for lighting purposes in the present budget, I am unable to comply with the provisions of this order. I should be glad to consider it at a later date.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

OPEN-AIR PARKING SPACE PERMITS.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Board of Street Commissioners relative to your order of November 28, 1938, concerning each outstanding open-air parking space permit or license, as of November 30, 1938, in the City of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

| NAME. | Location. | Area, Square Feet. | Original License. | Fee. | Number of Cars. |
|--|---|--------------------|-------------------|-------|-----------------|
| Berkeley-Columbus Company..... | 210 Columbus avenue, 128 Berkeley street..... | 27,000 | 1932 | \$100 | 189 |
| Sammel S. Boland..... | Avery place..... | 2,200 | 1932 | 30 | 15 |
| Boston American League Baseball Company..... | 35 Van Ness street, corner Jersey street..... | 10,000 | 1932 | 50 | 70 |
| William F. McAuliffe..... | 355 East Fifth street..... | 1,500 | 1932 | 20 | 10 |
| S. B. Simon..... | 238 St. Botolph street..... | 5,000 | 1932 | 40 | 35 |
| Opera Parking Company..... | 145 St. Stephen street..... | 4,000 | 1932 | S. 50 | 140 |
| William Lynden..... | 47 Brookline avenue..... | 2,000 | 1932 | 40 | 28 |
| Edward Szwali..... | 135 Nashua street..... | 7,000 | 1932 | 40 | 49 |
| James J. Crowley..... | Lovejoy place..... | 7,000 | 1932 | 40 | 49 |
| Charles H. Newton..... | 35 Overland street..... | 10,000 | 1932 | 50 | 70 |
| Boston Harbor Oil Company..... | 561 D street..... | 10,000 | 1932 | 50 | 70 |
| Daniel R. McLean..... | 11-15 Way street..... | 3,751 | 1932 | 40 | 26 |
| W. J. Connel Company..... | 121 Brookline avenue..... | 7,000 | 1932 | 40 | 49 |
| Joseph Myerson..... | 146-156 Kneeland street..... | 6,500 | 1932 | 30 | 24 |
| Joseph Walker..... | 108-114 Brookline avenue..... | 6,300 | 1932 | 40 | 44 |
| James J. Connolly Company..... | 125 Nashua street..... | 7,000 | 1932 | 40 | 40 |
| Edward G. Kanan..... | 31-35 Harvard street..... | 1,700 | 1932 | 30 | 11 |
| Minnie L. Levin..... | 24 Humboldt avenue..... | 3,478 | 1935 | 20 | 27 |
| Shiben Resha..... | 8-10 Plus street..... | 3,478 | 1935 | 30 | 23 |
| Lester P. Bush..... | 185 Harrison avenue..... | 10,000 | 1935 | 30 | 23 |
| Albert Hodgdon..... | 42 Mt. Hood road..... | 3,000 | 1935 | 30 | 21 |
| James Mansur..... | 56-58 Oak street..... | 3,500 | 1934 | 30 | 24 |
| Michael Moses..... | 32 Readville street..... | 3,500 | 1934 | 30 | 24 |
| Thomas Seldon..... | 539 Newbury street..... | 7,400 | 1934 | 50 | 51 |
| Thomas Seldon..... | 575 Newbury street..... | 7,200 | 1934 | 40 | 50 |
| William Lyndon..... | 257 South street..... | 43,800 | 1934 | 250 | 306 |
| Patrick F. Murphy..... | 20 Washington street..... | 10,000 | 1935 | 50 | 70 |
| Bay State Parking Company, Inc..... | 474-476 Atlantic avenue, 514-516 Atlantic avenue..... | 93,000 | 1936 | 250 | 651 |
| Hoston & Maine Railroad..... | 150 Causeway street, rear..... | 10,000 | 1936 | 50 | 70 |
| General Trading Company..... | 47-53 Broad street..... | 2,000 | 1938 | 30 | 25 |
| General Trading Company..... | 169-181 Congress street..... | 8,600 | 1938 | 25 | 50 |
| General Trading Company..... | 473-481 Atlantic avenue..... | 6,000 | 1938 | 40 | 50 |
| Commonwealth Stations Company..... | 25 Carver street, etc..... | 9,800 | 1938 | 50 | 75 |
| Commonwealth Stations Company..... | 163 Chestnut Hill avenue..... | 10,000 | 1931 | 50 | 75 |
| John E. Shea..... | 1943 Dorchester avenue..... | 1,500 | 1935 | 20 | 10 |
| Jeanette Couris..... | 20 Van Ness street..... | 34,810 | 1931 | S. 50 | 250 |
| William Lyndon..... | 48 Huntington avenue..... | 5,000 | 1932 | 40 | 50 |
| Frank J. Leverone..... | 28 Harvard street..... | 1,000 | 1931 | 30 | 10 |
| Abraham Solomon..... | 329 Charles street, etc..... | 5,000 | 1934 | 40 | 50 |
| Commonwealth Stations Company..... | 10 Dore street..... | 4,100 | 1932 | 40 | 50 |
| Commonwealth Stations Company..... | 59-65 Seelby square, etc..... | 10,400 | 1931 | 50 | 75 |
| Charles Hegger..... | 15 Ash street..... | 3,150 | 1931 | 30 | 25 |
| Commonwealth Stations Company..... | 421 Stuart street..... | 31,312 | 1931 | 100 | 200 |
| Commonwealth Stations Company..... | 89-97 Sulbury street..... | 2,400 | 1938 | 30 | 25 |
| Commonwealth Stations Company..... | 215 Franklin street..... | 7,361 | 1934 | 40 | 50 |
| Commonwealth Stations Company..... | 6 Dore street..... | 4,000 | 1933 | 30 | 25 |
| Pilgrim Parking, Inc..... | 390 Stuart street..... | 9,617 | 1931 | 50 | 75 |
| Massachusetts Service Parking..... | 15-17 Tyler street, etc..... | 8,713 | 1937 | 50 | 75 |
| Thomas J. Giblin..... | 50-64 Hanover street, etc..... | 44,146 | 1936 | 250 | 500 |
| Massachusetts Hospital..... | 368 Huntington avenue..... | 15,000 | 1938 | S. 25 | 25 |
| Levi Solomon..... | 55 Commonwealth avenue..... | 32,680 | 1938 | S. 80 | 100 |
| John A. Sullivan..... | 55 Jersey street, etc..... | 2,000 | 1933 | 30 | 25 |
| Harry LeCours..... | 141 Tyler street..... | 1,500 | 1934 | 20 | 10 |
| George S. Mooney..... | 164-255 Brookline avenue..... | 3,500 | 1932 | 30 | 25 |
| Edward G. Leannon..... | 498 Dorchester avenue..... | 15,000 | 1932 | 75 | 100 |
| Mt. Vernon Parking..... | 98 Mt. Vernon street..... | 8,000 | 1932 | 50 | 75 |
| North End Auto Park..... | 250 Hanover street..... | 5,000 | 1933 | 40 | 50 |

| NAME. | Location. | Area, Square Feet. | Original License. | Fee. | Number of Cars. |
|-----------------------------------|--|--------------------------|----------------------|------|--------------------|
| Lester P. Bush..... | 200 Harrison avenue..... | 2,200 | 1933 | \$30 | 25 |
| Morris Golden..... | 2 Rutherford avenue..... | 6,875 | 1932 | 40 | 50 |
| General Trading Company..... | 431 Atlantic avenue, etc..... | 6,556 | 1937 | 40 | 50 |
| General Trading Company..... | 48 Trinity place, etc..... | 10,000 | 1931 | 50 | 75 |
| Julia Solomon..... | 371 Tremont street..... | 6,000 | 1932 | 40 | 50 |
| K. Solomon..... | 379 Tremont street..... | 10,000 | 1932 | 50 | 75 |
| Charles King..... | 14 Fargo street..... | 7,000 | 1932 | 40 | 50 |
| K. Solomon..... | 11 Lehigh street..... | 10,000 | 1931 | 50 | 75 |
| Noyezar Meridian..... | 437-439 Washington street, Dorchester..... | 528 | 1935 | 10 | 5 |
| New England Mutual..... | Newbury street..... | 11,000 | 1938 | 50 | 75 |
| John J. Flaherty..... | 1340 Boylston street..... | 7,000 | 1933 | 50 | 75 |
| A. W. Huntington..... | Merrimac and Portland streets..... | 9,883 | 1931 | 50 | 75 |
| A. W. Huntington..... | 86-88 Chardon street..... | 4,500 | 1931 | 40 | 50 |
| George W. McLaren..... | 1369 Boylston street..... | 3,000 | 1932 | 30 | 25 |
| Cyrus J. Shamon..... | 186-190 Harrison avenue..... | 4,200 | 1932 | 40 | 50 |
| Le Bel-Saunders..... | 922 Stuart street..... | 3,000 | 1932 | 30 | 25 |
| Larry Levy..... | 125-127 Dartmouth street..... | 7,000 | 1932 | 50 | 75 |
| General Trading Company..... | 37-103 St. James avenue..... | 9,000 | 1931 | 50 | 75 |
| General Trading Company..... | 319-321 Stuart street..... | 80,000 | 1931 | 250 | 500 |
| General Trading Company..... | 240 Stuart street..... | 10,000 | 1932 | 50 | 75 |
| General Trading Company..... | 120-130 Stuart street..... | 8,558 | 1931 | 50 | 75 |
| General Trading Company..... | 92-98 Bowdoin street..... | 8,000 | 1931 | 50 | 75 |
| General Trading Company..... | 36-40 Nashua street..... | 10,000 | 1931 | 50 | 75 |
| General Trading Company..... | 104-216 Congress street..... | 66,800 | 1933 | 250 | 500 |
| General Trading Company..... | 80 High street..... | 16,073 | 1932 | 100 | 200 |
| General Trading Company..... | 90 Beach street..... | 13,000 | 1931 | 100 | 200 |
| General Trading Company..... | 60 St. James avenue..... | 60,000 | 1931 | 250 | 500 |
| General Trading Company..... | 99-105 Warrenton street..... | 7,500 | 1931 | 40 | 50 |
| General Trading Company..... | 150 Stuart street..... | 2,000 | 1931 | 30 | 25 |
| General Trading Company..... | 1-3 Ashburton place..... | 5,000 | 1931 | 40 | 50 |
| General Trading Company..... | 2-6 Westland avenue..... | 7,000 | 1936 | 40 | 50 |
| General Trading Company..... | 231-237 Congress street..... | 4,000 | 1933 | 40 | 50 |
| General Trading Company..... | 565 Newbury street..... | 7,000 | 1932 | 40 | 50 |
| General Trading Company..... | 79-77 Beach street..... | 3,000 | 1931 | 30 | 25 |
| General Trading Company..... | 29-51 Beattle street..... | 27,000 | 1935 | 100 | 200 |
| General Trading Company..... | 517-523 Atlantic avenue..... | 8,100 | 1933 | 50 | 75 |
| General Trading Company..... | 9-11 Shawmut avenue..... | 8,500 | 1932 | 50 | 75 |
| General Trading Company..... | 234-260 Devonshire street..... | 26,800 | 1937 | 100 | 200 |
| Winthrop Square Parking, Inc..... | 236 Friend street..... | 2,032 | 1936 | 30 | 25 |
| Arthur Blank..... | 131-133 Merrimac street..... | 4,455 | 1933 | 40 | 50 |
| Arthur Blank..... | 34-36 Edinboro street..... | 3,221 | 1937 | 30 | 25 |
| Mabel Maloof..... | 33 Barton street, etc..... | 15,000 | 1933 | 75 | 100 |
| Atlas Parking Lot..... | 10-18 Atlantic avenue..... | 9,000 | 1933 | 50 | 75 |
| North End Auto Park..... | 16-22 Bowdoin street..... | 7,000 | 1935 | 40 | 50 |
| Abraham Solomon..... | 115-123 Cambridge street, etc..... | 11,798 | 1936 | 75 | 100 |
| Abraham Solomon..... | 136 Broad street, etc..... | 2,835 | 1937 | 30 | 25 |
| Abraham Solomon..... | 74-76 Broad street, etc..... | 2,900 | 1936 | 30 | 25 |
| Abraham Solomon..... | 146 Portland street..... | 3,600 | 1937 | 30 | 25 |
| Abraham Solomon..... | 42 Hawkins street, etc..... | 9,200 | 1936 | 50 | 75 |
| Abraham Solomon..... | 2-24 Shawmut avenue..... | 12,400 | 1936 | 75 | 100 |
| K. & A. Solomon..... | 123 Tyler street..... | 5,980 | 1931 | 40 | 50 |
| K. Solomon..... | 170-180 Columbus avenue..... | 5,000 | 1933 | 40 | 50 |
| K. Solomon..... | 69 Broadway..... | 3,340 | 1933 | 30 | 40 |
| K. Solomon..... | 91-93 Broadway..... | 3,351 | 1933 | 30 | 40 |
| K. Solomon..... | 30 Curve street..... | 15,000 | 1931 | 75 | 100 |
| Commonwealth Station Company..... | 176 South street, etc..... | 4,794 | 1937 | 40 | 50 |
| Commonwealth Station Company..... | 75 India street..... | 5,000 | 1932 | 40 | 50 |
| Commonwealth Station Company..... | 18 Broadway, etc..... | 16,000 | 1931 | 100 | 200 |

| NAME. | Location. | Area, Square Feet. | Original License. | Fec. | Number of Cars. |
|-----------------------------------|--|--------------------|-------------------|------|-----------------|
| Commonwealth Station Company | 55 Eliot street, etc. | 6,000 | 1931 | \$40 | 50 |
| Commonwealth Station Company | 29-37 Pemberton square | 10,800 | 1931 | 50 | 75 |
| Commonwealth Station Company | 100 Federal street | 4,600 | 1933 | 40 | 50 |
| Commonwealth Station Company | 436 Atlantic avenue | 6,000 | 1932 | 40 | 50 |
| Providence Parking Company, Inc. | 16-24 Hollis street, etc. | 25,840 | 1936 | 100 | 200 |
| Paul K. Handy | 41-47 Stuart street, etc. | 13,750 | 1935 | 75 | 100 |
| Paul K. Handy | 47-51 Hudson street | 4,200 | 1935 | 30 | 25 |
| Paul K. Handy | 12 Bulfinch street | 3,099 | 1935 | 30 | 25 |
| Paul K. Handy | 105-109 Hudson street, etc. | 10,130 | 1938 | 40 | 50 |
| Nathan Hoffman | 23-25 Oxford street | 2,980 | 1932 | 30 | 25 |
| Terry Zine | 19-31 Bowker street | 5,600 | 1935 | 40 | 50 |
| Robert Long | 205 Broadway, etc. | 5,800 | 1934 | 40 | 50 |
| Mt. Auburn Renting Company | 1301 Boylston street | 3,000 | 1931 | 30 | 25 |
| Anthony McPherson | 2-20 Chandler street | 23,000 | 1931 | 100 | 200 |
| Thomas J. Giblin | 577-589 Commonwealth avenue | 8,360 | 1933 | 50 | 75 |
| James J. Connolly | 977 Commonwealth avenue | 10,000 | 1935 | 50 | 75 |
| Edward G. Kanan | 48-56 Nashua street | 5,000 | 1931 | 40 | 35 |
| John A. O'Connell | 24-26 Harvard street | 1,500 | 1931 | 20 | 10 |
| William T. Van Nostrand | 332 Chestnut Hill avenue | 10,000 | 1931 | 50 | 70 |
| Donis Hynes | 26-28 Alford street | 7,000 | 1931 | 40 | 49 |
| Alfred M. Greenhood | 597 Commonwealth avenue | 23,350 | 1931 | 100 | 163 |
| George E. Macnar | 200 Cambridge street | 7,200 | 1931 | 40 | 50 |
| North End Auto Park | 327 Cambridge street | 3,357 | 1931 | 30 | 23 |
| Daniel D. Lacey | 95 Richmond, rear | 9,200 | 1931 | 50 | 64 |
| Colonial-Beacon Oil Company, Inc. | 30 Van Ness and Boylston streets | 60,000 | 1931 | S. | 50 |
| Norwalk Tire and Battery Company | 1286 Boylston street | 9,800 | 1931 | 50 | 68 |
| Aeme Corporation | Corner of Eliot and Carver streets | 2,000 | 1931 | 30 | 14 |
| Custun W. Alberti | 281 Tremont street | 4,268 | 1931 | 40 | 29 |
| Frank J. McDonald | 87 Jersey street | 5,000 | 1931 | 40 | 35 |
| Stanhope Garage, Inc. | 6 Eliot street | 3,000 | 1931 | 30 | 21 |
| Stanhope Garage, Inc. | 270 Columbus avenue and 75 Clarendon street | 7,000 | 1931 | 40 | 49 |
| Symphony Auto Park | 50 Stanhope street | 5,000 | 1931 | 40 | 35 |
| Deposet Oil Company | 37 Westland avenue | 9,500 | 1931 | 50 | 66 |
| John A. Sullivan | 105 Beverly street | 8,700 | 1931 | 50 | 60 |
| Neposet Oil Company | 344 Atlantic avenue | 10,000 | 1931 | 50 | 70 |
| Charles H. Newton | 30 110 Kneeland street | 5,000 | 1931 | 40 | 35 |
| Charles H. Newton | 10 Maverick square | 5,500 | 1931 | 40 | 38 |
| Boston Tuberculosis Workshop | 3694 Washington street, rear | 10,000 | 1931 | 50 | 70 |
| John A. Sullivan | 95 Brookline avenue | 50,000 | 1931 | S. | 350 |
| William Linden | 35 Tyler street | 5,200 | 1931 | S. | 36 |
| G. F. Gilbody | 24 and 30 Hudson street, 57, 59, 61 Hudson street, 49-51 Albany street, and 91 Kneeland street | 12,800 | 1931 | 75 | 81 |
| Estate of W. B. Rice | 37 Dalton street, rear | 1,500 | 1931 | 20 | 10 |
| Lincoln Oil Company | 1944 Dorchester avenue | 24,000 | 1931 | 100 | 168 |
| Jennie Kanan | 39-41 High street, 255-257 Purchase street, | 2,896 | 1938 | 30 | 20 |
| Motor Land, Inc. | 615 Newbury street, 10 Brookline avenue | 15,000 | 1931 | 100 | 105 |
| John A. Sullivan | 11 Morton street, 3699 Washington street | 15,000 | 1932 | 100 | 105 |
| John A. Sullivan | 267-269 Tremont street, 283 Warrenton street | 6,163 | 1936 | 40 | 43 |
| John A. Sullivan | 1172-1192 Washington street | 10,000 | 1936 | 50 | 70 |
| John A. Sullivan | Rear 390 Commonwealth avenue, 435 Newbury street | 18,000 | 1937 | 100 | 126 |
| John A. Sullivan | 837-857 Washington street, Rear 847 Warrenton street, 10-101 Common street, 11-23 Warrenton street | 34,000 | 1937 | 250 | 238 |
| John A. Sullivan | 58-66 Hudson street | 5,000 | 1931 | 40 | 50 |
| Stanley L. Ostlund | 125-135 St. Stephen street | 20,000 | 1932 | S. | 200 |
| Stanley L. Ostlund | 20 Scotia street, etc. | 3,000 | 1938 | 30 | 25 |

Placed on file.

PREFERENCE TO BOSTON CITIZENS IN HOUSING CONTRACTS.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Executive Director and Secretary of the Boston Housing Authority relative to your order of November 28, 1938, concerning the policy of giving preference to Boston citizens in the awarding of architectural and building contracts.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Housing Authority,
December 16, 1938.

William T. Doyle, Esq.,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—The Boston Housing Authority has received your memorandum dated November 28, 1938, transmitting forthwith an order of the City Council passed on November 21, 1938, relative to "the policy of giving preference to Boston citizens in the awarding of architectural and building contracts in connection with the new housing projects and also in the matter of the employment in connection with the razing of old structures and the erection of the new housing units."

At a meeting of the Boston Housing Authority held on December 13, 1938, it was voted to give consideration to the foregoing request.

Very truly yours,
FRANCIS X. LANE,
Executive Director and Secretary.

Placed on file.

RESURFACING OF NORWAY STREET.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Public Works Commissioner relative to resurfacing with smooth pavement Norway street, between Huntington avenue and Falmouth street, Ward 4, as a W. P. A. project.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
City of Boston,
Public Works Department,
December 9, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I have received notice of the following order that was passed in the City Council on November 21:

"Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface with smooth pavement Norway street, between Huntington avenue and Falmouth street, Ward 4, as a W. P. A. project."

This section of Norway street was formerly a public way, but at the present time is a private street, and therefore it is not within the jurisdiction of the Public Works Department to resurface it.

I recommend that the matter of reaccepting this street be referred to the Board of Street Commissioners for consideration.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

BASKETBALL IN SCHOOL SPORTS PROGRAM.

The following was received:

City of Boston,
Office of the Mayor, December 19, 1938.
To the City Council.

Gentlemen,—I transmit herewith letter from the Secretary of the School Committee of the City of Boston relative to your order of November 21, 1938, concerning the including of basketball in the High School Sports Program for the coming year and including any expense attached thereto in the 1939 budget.

Respectfully,
MAURICE J. TOBIN, Mayor.

The School Committee,
December 8, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir—At a conference of the School Committee, held on Monday, December 5, the Committee received the order passed by the City Council November 21, 1938, as follows:

"Ordered, That the Boston School Committee be requested, through his Honor the Mayor, to include basketball in the High School Sports Program for the coming year and include any expense attached thereto in the 1939 budget."

The School Committee would respectfully call the attention of the Council to its communication to your Honor of October 29, in response to a similar order passed by the Council on August 13, 1938, copy of which communication is inclosed.

There appeared to the Committee to be nothing to add to its previous letter on the subject, and the order of the City Council was therefore placed on file.

Respectfully yours,
ELLEN M. CRONIN, Secretary.

October 29, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

My dear Sir—At a meeting of the City Council on August 15, the Council passed an order requesting the School Committee to include basketball in the winter program of sports of the Boston public schools.

The School Committee has had under consideration for some little time question as to the possibility of extending the athletic program in the high schools, and now has agreed to make provision for ice hockey within very definite limitations.

The accommodations for the games will be provided without expense to the city, and in that way this sport is made possible at this time. The Committee is satisfied that it will not be possible to make provision for basketball instruction in the schools because the available facilities will not permit and the physical education appropriation is such that the additional expense involved, even were accommodations available, could not be met.

The School Committee has agreed, therefore, that at the present time it will not be possible to include basketball in the high school athletic program.

Very truly yours,
ELLEN M. CRONIN, Secretary.

Placed on file.

PETITIONS REFERRED.

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

Claims.

Philip J. Aronson, for compensation for injuries caused by city car.

Coca-Cola Bottling Company, for compensation for damage to truck by city truck.

Raymond DeCristoforo, for compensation for damage to car by city truck.

Annie Gordon, for compensation for injuries caused by an alleged defect at 30 and 32 Vesta road.

Mary I. Murphy, for compensation for injuries caused by an alleged defect at Belgrade avenue and Cornish street.

Henry P. Pillion, for compensation for injuries caused by an alleged defect at 525 Boylston street.

Estate of Isabelle H. Robinsor, for compensation for damage to property at 1433 Dorchester avenue, caused by bullet fired by police officer.

Fred Santini, for compensation for damage to car by city team.

Committee on Ordinances.

Petition of estate of Mary C. Jackson, for driveway opening at Dunlap street.

Committee on Jitney Licenses.

Petition of American Air Lines, Inc., for license to operate motor vehicles between Hotel Statler in Boston and Boston Airport over Arlington street, Providence street, Columbus avenue, Church street, Stuart street, Kneeland street, Atlantic avenue, Federal street, Milk street, Congress street, Exchange street, Dock square, North street, Cross street, Sumner Tunnel, Porter street, Cottage street, Maverick street, Airport; returning via route just described, or over Maverick

street, Cottage street, Porter street, Sumner Tunnel, Cross street, Haymarket square, Canal street, Haymarket square, Canal street, Causeway street, Nashua street, Charles street, Columbus avenue, Arlington street to Statler Hotel; such operation to be confined solely to the carrying of airline passengers to and from the Boston Airport.

REQUEST TO ASSESSORS TO APPEAR.

Coun. TAYLOR offered the following:

Ordered, That the Board of Assessors appear before the Executive Committee of the City Council to advise them of conditions existing in the Assessing Department which is costing the City of Boston many thousands of dollars each year.

Coun. TAYLOR—Mr. President, I have been informed that the Board of Assessors has decided to grant no abatements, but to force all property owners to appeal their cases to the Board of Tax Appeals. I wish to call to the attention of the Council that the actions of the Board of Assessors are costing the City of Boston thousands of dollars every year, due to the fact that they refuse to properly settle claims for abatements. Consequently, people who are overassessed and who desire a settlement of their taxes, are forced to appeal to the Board of Tax Appeals, and records will prove that from 80 per cent to 90 per cent of the decisions of the Board of Tax Appeals are rendered in favor of the property owners. Not only that, but records will show that where a property owner has been willing to settle at a certain figure, the Board of Tax Appeals in most cases will abate the tax to a much greater extent than that for which the property owner was willing to settle originally, which means that the City of Boston loses every year, because of the Board of Assessors' unwillingness to settle, many thousands of dollars. I refer to one particular instance of which I have some knowledge—the Sears Building, which was assessed for \$1,300,000, where the property owners were willing to settle on the basis of \$1,100,000. The Board of Assessors refused to settle, and it was tried before the Board of Tax Appeals, and the Board of Tax Appeals abated the taxes to \$900,000, for a period of four years. Consequently, the City of Boston lost taxes on the difference between \$1,100,000, the figure for which they were willing to settle, and \$900,000, which was granted by the Board of Tax Appeals, which amounted to \$200,000 for each year for a period of four years, or a total of \$800,000, or a loss in taxes to the City of Boston of over \$30,000. When I voted to increase the Board of Assessors from three members to five members, I had in mind that perhaps the Board of Assessors were overworked, and that it would be necessary for members to appear before the Board of Tax Appeals to testify to the value of the property. I have since learned that none of the members of the Board of Assessors appears before the Board of Tax Appeals, except in rare instances when Mr. Kelly, chairman of the Board, appears to testify. The deputies defend in the smaller cases, but the City of Boston must expend thousands of dollars each year to hire experts to testify for them in the larger cases. It is my frank opinion that the deputy assessors are the ones who know the real value of the property in the City of Boston. I am informed that on many occasions the deputies recommend settlement, but the Board of Assessors does not accept these recommendations, and the property owners then appeal to the Board of Tax Appeals, and are given an abatement much greater than the settlement recommended by the deputies. I have also been informed that on the other hand the same deputies, who really know the value of the property, have refused to recommend settlements, and have so stated to the Board of Assessors, but the Board of Assessors have overruled their rejections, and given settlements on property which would probably not be upheld by the Board of Tax Appeals. I do not understand why after an abatement is given one year, the following year the valuation of the previous year, which had been abated, is again placed on the property, although there is no reason for it, as the property deteriorates each year, becoming older, and the income lessening, causing the taxpayers of the City of Boston again to bring proceedings, which will again end up in the Board of Tax Appeals. I am sorry to say that there have been too many cases where the city has made settlements and then backed out of them at the last minute, causing a great deal of

inconvenience to the property owners, who eventually get more than the settlement. There is no question in my mind that such conditions existing in the Assessing Department are restricting the sales of property in Boston. It is retarding the progress of property. People will not buy property which they intend to repair and develop because of the unwarranted taxes on a great many parcels. Tax sales are going to begin very soon, and there are a great many widow and clause cases which have not been taken care of. I believe we, as the Board of Directors of the City of Boston, are entitled to have an explanation from the Board of Assessors why these conditions exist, and why they shouldn't be remedied.

The order was passed under suspension of the rule.

WIDENING OF STRANDWAY.

President KERRIGAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to widen the road from the Strandway at Columbia road to Newman street, in order to facilitate the movement of traffic in this most congested section.

Passed under suspension of the rule.

RECESS.

The Council voted at 1.35 p. m., on motion of Coun. WILSON, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 3.09 p. m.

OPINION OF CORPORATION COUNSEL RE WHELTON CLAIM.

The following was received:

City of Boston,
Law Department, December 19, 1938.
To the Honorable the City Council.

Gentlemen,—You have requested to be advised concerning the legality of the Whelton claim, so called, and concerning the city's possible liability on other claims for reimbursement of bond premiums by other deputy sheriffs.

The Whelton claim referred to is a claim filed by one Daniel A. Whelton for reimbursement by the City of Boston for the amount of premiums paid by him on certain bonds supplied by him as a special sheriff for Suffolk County. Mr. Whelton claims that the premiums paid by him for such bonds should be paid as an expense of the County of Suffolk because of the provisions of section 43A of chapter 35 of the General Laws, which provides as follows:

"Every officer or employee of a county required to furnish a fidelity bond with a surety or sureties shall furnish a bond with a surety company authorized to transact business in the Commonwealth, as surety. The premium on such bond shall, in every case, except in the case of the treasurer of Suffolk or Nantucket county be paid by the county."

Section 4 of chapter 37 of the General Laws provides, in part, as follows:

"He (the sheriff elected in each county) shall appoint a special sheriff who shall be sworn and shall give such bond to the sheriff as he may require for the faithful discharge of his duties . . ."

I understand that said Daniel A. Whelton was appointed a special sheriff for Suffolk County prior to August 26, 1924, the effective date of section 43A of chapter 35, referred to above, and has continued and is at present occupying said office.

I am of the opinion that a special sheriff appointed under the provisions of section 4 of chapter 37, referred to above, is "an officer or employee of a county required to furnish a fidelity bond" within the meaning of section 43A of chapter 35 of the General Laws and that, as such, the premium on his bond should be paid by the county in which he acts.

In view of the foregoing, it is my opinion that the City of Boston, acting in behalf of the County of Suffolk, may properly reimburse said Daniel A. Whelton for premiums paid by him on bonds supplied by him as a special sheriff for Suffolk County, provided, however, that in this instance due consideration should be given to the effect of the Statute of Limitations, which statute would be a

bar in any action in contract to the recovery of any premiums paid out prior to six years from the date of the commencement of said action. Therefore, I am of the opinion that consideration should be given only to those premiums paid during the last six years.

You have asked to be advised concerning the city's possible liability on other claims for reimbursement of bond premiums by other deputy sheriffs.

Section 3 of chapter 37 of the General Laws provides as follows:

"A sheriff may appoint deputies who shall be sworn before performing any official act."

I am aware of no provision of law which requires that deputies so appointed shall furnish bonds for the faithful performance of their duties. In view of this, deputy sheriffs do not come within the provisions of section 43A of chapter 35, referred to above, and the respective counties in which they act are, in my opinion, not required to pay the premiums on their bonds.

I respectfully direct your attention to sections 29 to 31, inclusive, of chapter 221 of the General Laws (Ter. Ed.) relating to deputy sheriffs serving as court officers and more particularly with reference to section 77 of said chapter, which is as follows:

"Premiums on bonds of court officers and deputy sheriffs in attendance on the supreme judicial or superior court in Suffolk county and on the courts in Worcester county shall be paid by their respective counties."

Therefore, in the case of deputy sheriffs in attendance on the Supreme Judicial or Superior Court in Suffolk County bond premiums are required to be paid by Suffolk County. I am informed that in all such cases said bond premiums are now being paid by Suffolk County.

Very truly yours,

HENRY PARKMAN, JR.,
Corporation Counsel.

Placed on file.

SALE OF LAND TO EMMA D. JENKINS.

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

2. Whereas, The Board of Street Commissioners of the City of Boston by a resolve and order approved by the Mayor of Boston December 2, 1930, and recorded December 6, 1930, with Suffolk Deeds, Book 5230, page 581, took for playground and public golf course purposes a certain parcel of land situated in those parts of Boston called, respectively, Hyde Park and West Roxbury, as is more fully described in said resolve and order; and

Whereas, A certain portion of said golf course, approximately 111 feet long and five feet wide, running from West street in a westerly direction along the southerly side of lot No. 952, the said lot No. 952 being shown on a plan entitled "Part Three A of Grew Park, Hyde Park, Boston," developed by Bonelli-Adams Company and dated September 23, 1926, is no longer needed for public purposes; and

Whereas, Emma D. Jenkins, the owner of said lot No. 952, desires to purchase the said parcel of land, five feet wide and 111 feet long; now, therefore, it is hereby

Ordered, That his Honor the Mayor be, and he hereby is, authorized, in the name and behalf of the City of Boston, to convey all its right, title and interest in said parcel of land mentioned above as five feet wide and 111 feet long to the said Emma D. Jenkins by a written instrument, satisfactory in form to the Law Department of the City of Boston, upon the payment to the said City of Boston by the said Emma D. Jenkins of fifty dollars.

On December 5, 1938, 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.

EXECUTIVE COMMITTEE REPORTS.

Coun. WILSON, for the Executive Committee' submitted the following:

1. Report on resolve (referred December 12) requesting national and state W. P. A. authorities to rescind orders for curtailment of W. P. A. work—that same ought to pass.

Report accepted; said resolve passed.

RECERTIFICATION OF W. P. A. CASES.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Public Welfare Department to promptly investigate for recertification such W. P. A. cases as may have been temporarily in private employment but again require W. P. A. assignment.

Coun. WILSON—Mr. President, this is a replica of an order offered a week ago, which was referred to the Executive Committee; but, there being such a situation existing at the present time, I would like to have this order also passed. I have in mind that W. P. A. cases which temporarily drop off and take up private employment are allowed a six-months' period to return after which they are apparently barred, the worker temporarily losing his right of W. P. A. employment until there is an investigation and recertification. Most of us know by experience that the Welfare Department merely takes these cases in its stride, going along until it reaches the particular man who may have been for a while in temporary private employment, and that in the meantime, while the man is waiting for W. P. A. assignment, he is out in the cold. I believe the Public Welfare Department of Boston in cases where men have been on W. P. A. and then obtained temporarily private employment, should put them right back at the head of the list for reassignment to W. P. A. Where they have been perfectly honest and frank in the matter, and have temporarily taken private employment, thus helping out the Government and reducing for the time being its expense in connection with them, that frankness and honesty should be considered in their favor. That is simply repeating what I said a week ago, that I believe the man on W. P. A. work who takes on temporary private employment, thus helping the taxpayers and the general public, should be given every possible consideration when the private employment is over and should be promptly certified for reassignment to W. P. A.

The order was passed under suspension of the rule.

PREFERENCE FOR TENANCY IN HOUSING PROJECTS.

Coun. WILSON offered the following:

Ordered, That his Honor the Mayor be requested to take up with the Boston Housing Authority and the Public Welfare Department the possibility of preference being given Old Age Assistance and Mothers' Aid cases for tenancy in housing projects in Boston, applying to the rental in such cases the proportionate amounts now allowed such cases by the Welfare Department for rent, light and heat.

Coun. WILSON—Mr. President, this is not the same order that was passed last week at the request of Councilor Norton, but it is along the same line. We are all, of course, familiar with the proposed original idea of slum clearance and central housing, and we all heard the original sales talk that went with the slum clearance and housing projects. We were given to believe that the original idea was to favor those who were housed in slums and living under sub-standard conditions. As I say, that seemed to be the original idea, but up to the present time it has not been carried out. There appears now, however, to be an awakening of that original idea, which I am glad to see, and which I hope will be carried out as we have further slum clearance and housing projects in Boston. That is, I trust that not only will they clear out the slums but that they will help those who are obliged to get out of the slums to enjoy these proposed better housing conditions, so that something may be done in the way of providing homes for the really poor. Councilor Norton's order suggested that the city provide \$150,000 from Welfare money towards the expense of housing such inmates in the Old Harbor project and other housing projects. What I have in mind—and not for the first time this week or last week, but for months—is that if these housing projects are to be constructed we should not only clear the slums, but should actually provide lower cost and better housing for the poor. There are people, myself among them, who believe that if these projects are to be built, some consideration should be given to providing homes in them for some of the fifty thousand poorest families in Boston, for some who are on W. P. A., who are being given old age assistance and mothers' aid.

I know and you know, Mr. President, we all know, what is provided in the average welfare, old age assistance and mothers' aid cases; that some of the assistance is in the way of rent, some, of course, in the way of food and clothing; and I believe if these projects are to be constructive, some consideration should be given to their use by such people as we originally supposed they were intended for. I believe, in other words, that old age assistance, mothers' aid and welfare cases, should be given the benefit of these low-price housing projects, as far as is possible, and that welfare money which is used for rent, heat, light and food, might well be partially applied through the City of Boston for the help in this way of those on such lists. That is the reason why I advocate the passage of such an order at this time.

The order was passed under suspension of the rule.

COMMENDATION OF POLICE DEPARTMENT.

Coun. CHASE offered the following:

Whereas, The organization of the Junior Police League in every police district throughout Boston has done much to bring a large number of our children in closer contact with members of our police force; and

Whereas, Under the splendid leadership of Police Commissioner Joseph F. Timilty, the captains of the various Police Divisions, with the whole-hearted cooperation of the police officers of each division, are holding Christmas parties for the needy children of every section of Boston; and

Whereas, The result of these contacts has replaced fear on the part of the children with respect and love for the police officer; therefore he it

Resolved, That the City Council of Boston, in meeting assembled, hereby highly commends Police Commissioner Joseph F. Timilty, the various division commanders and the members of the police force for the excellent work which they are doing to instill friendship, love and respect in the hearts of the future citizens of our city and which is bound to result in a marked reduction in juvenile crime in Boston; and he it further

Resolved, That a copy of this resolution be forwarded to Commissioner Joseph F. Timilty of the Boston Police Department.

Coun. CHASE—Mr. President, I am sure that if a member of the Boston Police Department did some act which was morally wrong and not within the regular functions of the department, the public would be sure to hear about it and offer severe criticism. Police Commissioner Joseph F. Timilty has sponsored the idea of having the various police stations furnish a Christmas party for the children in each particular district. Last year, I personally visited many of the station houses during the time that these Christmas parties were given, and I was very much impressed with them. I am of the opinion that this idea will cause the children of Boston to respect policemen and consider them as their friends. The children of Boston will learn to regard the man in blue uniform and brass buttons as the new Santa Claus and, as we all know, no one dislikes a Santa Claus. Unquestionably, these parties will tend to build the children of Boston into law-abiding citizens. The Boston Police Department is also sponsoring another measure which merits praise. The Junior Police League is an excellent idea, because it teaches its child members a higher regard for the law. I know that the members of this body will agree with me when I say that the Boston Police Department deserves high praise for this work, which does not come within the regular functions of the Police Department.

The resolution was passed under suspension of the rule.

PAYMENT TO DANIEL A. WHELTON.

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

1. Ordered, That the sum of twelve hundred and forty dollars be allowed and paid to Daniel A. Whelton in reimbursement for amount of premiums paid by him on his bond as Special Sheriff of Suffolk County; said sum to be charged to the Contingent Fund.

The question came on the passage of the order.

Coun. HUTCHINSON—Mr. President, I move that the amount named in the order be amended to read \$600.

The question came on the amendment.

Coun. HUTCHINSON—Mr. President, I believe that no lawyer should advise the passage of an order which is contrary to the statute of limitations. I am a lawyer, and chairman of the Committee on Claims, and I feel that we should recognize the law to this order under the statute of limitations and also the fact that the Law Department has given today an opinion that "in this instance due consideration should be given to the effect of the statute of limitations, which statute would be a bar in any action in contract to the recovery of any premiums paid out prior to six years from the date of the commencement of said action. Therefore, I am of the opinion that consideration should be given only to those premiums paid during the last six years." So, I feel that we should vote for the amendment I have proposed.

Coun. MURRAY—Mr. President, I claim that the Council has a right to take advantage of the law that was passed which permitted this payment to be made. As far as the statute of limitations is concerned, you do not have to set that up. It is something that you plead specially in a case in court. It is something that, when you are opposed to a certain claim, you take advantage of. But I have never known the City of Boston, since I have been a member of the body, to take advantage of somebody under such a statute. The City of Boston does not intend to take advantage of anybody, but to do the duty that it owes to any official or any person. It is entitled, of course, to take advantage of the statute, if it does not wish to pay what we must all consider a just claim, if it does not wish to give a man his just dues. But the statute of limitations in a case of this kind is not something that the City of Boston would wish to take advantage of in a special plea unless it wished to duck something. Of course, if you want to duck the payment of this just amount, you can do it, but I don't believe that is the spirit of the members who sit here.

Coun. SHATTUCK—Mr. President, I believe the position taken by Councilor Hutchinson is well taken and in entire accord with the opinion of the Corporation Counsel, who says:

"Therefore, I am of the opinion that consideration should be given only to those premiums paid during the last six years."

In other words, he would allow for six years, and no more. This statute of limitations applies in a great many transactions of the City of Boston, in connection with claims, land matters, tax title matters, and many other things. A person comes in after the period for redeeming a tax title has elapsed and is told that he is too late, and in other cases where he attempts to have some action after six years have expired, he is told that it is too late. The purpose of the statute on limitations is to set a definite period so that a person cannot go back indefinitely in history after having slept on his rights. I shall vote for Councilor Hutchinson's amendment.

Coun. FITZGERALD—Mr. President, Councilor Murray of South Boston properly states the case. I believe the members of the City Council believe that the city owes this money to this man and has an obligation to pay it. The question that we have to consider here is, in my opinion, entirely different from the case of a tax title. It arises under a statute passed by the Legislature in 1924. There has been a lot of talk about fees in the sheriff's office, but I remember some years ago an interesting contest for sheriff in this city between two men—the late James Donovan and Fred Seavey, the Sheriff of Suffolk County at that time. Mr. Fennessey produced the books and showed that the fees at that time were \$3,500. It is also a well-known fact that the late sheriff of the county died a poor man, leaving his wife perhaps \$10,000 life insurance. There is a lot of hunk about this question of fees in the sheriff's office. That source of revenue is no Klondyke. Any man who has been familiar with politics for the past forty years knows the reputation of the men in that office. Of course, in the sheriff's office as in other departments of the city and county, men come and men go. I saw a former Mayor of this city recently awaiting his turn in the assessors' office, not inside the rail, but outside, a man who reigned supreme for four years. A lot of thoughts came into my mind. He had had the honor of appointing one of the members of that board, and when he became mayor the

salaries of some of those men were raised. But as I saw him there, he was just one of the throng that passed by. Nobody knows when his turn will be over, and what he will be doing tomorrow. There is a moral obligation here to Mr. Whelton, yes, and it ought to be paid. No words of mine can leave any greater impression than the words spoken by the gentleman from Ward 6 (Coun. Murray). Is the City of Boston going to set up the statute of limitations to prevent a just payment to this man, a payment granted under statute by the Legislature? I do not believe the City of Boston is going to evade an honest obligation under any such pretext, simply because it is legally allowed to set up this technical bar to payment.

Coun. TAYLOR—Mr. President, I like to be consistent in these matters. Only a few weeks ago a claim was put in here before the Claims Committee to reimburse a policeman for a judgment against him by somebody who received a lot of injuries at the hands of the officer in the course of his duty. At that time we all knew that the only way that that injured individual could receive the money was from the City of Boston, because most policemen have no money to spare. There was no recourse for the individual except for the city to reimburse the officer for the judgment against him for an injury he caused in the scope of his employment. At that time the councilor from Ward 3 (Coun. Fitzgerald) voted against that, because he didn't want that man to receive the money. We now have a different situation. We have the councilor now coming in and asking the City of Boston to reimburse this man who is a member of his club for money that he claims to have paid out. I have no objection to making a just payment of money to any man. But the law in this case sets up a bar. There is a limit to the time when a claim of this sort against the city is good. How long is the City of Boston going to continue to allow payment in such cases? If it is allowed, there are plenty of petitions that will be brought, and we will not have money enough in the treasury of the City of Boston to pay all the money for which we may say that the city is morally responsible. Why should we make fish of one and flesh of another, favoring an individual who happens to hold a responsible position in the county? I say that the City of Boston should be governed by statute law and that we should recognize the statutes. I do not wish to take money away from any man, but we must be governed as representatives of the citizens of Boston by the law. Therefore, I favor Councilor Hutchinson's amendment, that the amount allowed be \$600.

Coun. CHASE—Mr. President, apparently some members of the Council overlook the fact that all the people of this city, all the taxpayers, the people who support our municipal government, are subject to the same law. If any taxpayer does not make his claim within a certain time, he is up against the statute of limitations, and I cannot see why an officer of the county or the city should not be subject to the same law as any taxpayer. After all, we are not passing out our own money, but the taxpayers' money, and in view of the financial situation of the City of Boston I think we ought to give a lot of consideration to a matter like this before we pass it.

Coun. FITZGERALD—Mr. President, I am not inclined to take up the time of the Council, but I would like to add just one word. The councilor from Ward 12 (Coun. Taylor) has referred to the fact that several weeks ago I opposed an order to reimburse a police officer who had injured a citizen and who had had a judgment against him in court, for which he wished to be reimbursed. The officer in that case, because he had a badge of authority, clubbed a citizen and injured him severely. If we were to encourage that sort of thing, there would be nothing to prevent irresponsible officers clubbing men almost to death, and there would be no redress. That was an entirely different proposition, and I have no apology for my vote on that occasion. The court in that case found that the officer was at fault, rendered a judgment against him, and the officer then came in here and asked to be reimbursed. In the past, the Council was not accustomed to vote to reimburse these officers under such circumstances, but, of course, times have changed. The gentleman himself, I, or any other member, might have suffered from the attack of such an officer and have been sent to the hospital, possibly almost losing his mind and being nearly killed as the result of the beating. This, however,

is an entirely different thing. This man was entitled to this reimbursement under the law passed by the Legislature in 1924. If he had collected the money sooner, as deputy sheriff, no question would have been raised. The fact that he did not do so does not do away with the obligation of the city to reimburse him. Just because some people have got an exaggerated idea of the amount of the fees that the sheriff and deputies receive, thinking that it is as I have said, a Klondyke, there seems to be a feeling on the part of some of the members against reimbursing this man. I have always pointed out the fact that these fees are not a source of large financial return to the men in that office. I simply believe that Mr. Whelton should be given a fair deal. There is no question as to the justice of his claim. There is no doubt that the money properly belongs to him. If there have been situations in the past where reimbursement money has been properly given, that is certainly not this case. I trust that the members of the Council will have an open mind and will give to this gentleman the money he justly deserves.

Coun. CAREY—Mr. President, we have here the opinion of the Corporation Counsel. However, this matter came before us only one week ago, and it is possible that the Corporation Counsel did not have the time to go into complete detail on the rights involved in this case. We do not want to establish an unjust precedent. I feel, therefore, that we should table the matter until possibly the Corporation Counsel has had a chance to consider it at greater length. I would move, therefore, that the matter lie on the table.

Coun. Carey's motion to lay on the table was lost.

Coun. MURRAY—Mr. President, if I may, I would like to just add this thought, that I feel that if the deputy sheriff saw fit to bring his case to court he would win. The statutes provides for full payment, not simply for the \$600 which would cover the past six years. Payment to him was authorized by the statute of the Commonwealth, and the fact that he did not collect earlier does not affect the justice of his claim. In passing the order for the full amount here you are not giving him anything, I believe, that he could not get in court. I have no question about it. It would be a cinch case for any lawyer to try. The City of Boston has here a moral obligation. The question is simply whether we should refuse to pay by setting up as a bar the statute of limitations. That is simply a statute which permits people who do not want to pay to set up that bar against a moral obligation. The amount is justly due this man. It simply recompenses him for what he has paid out of his own pocket, and the City of Boston certainly should not try to evade its obligations because of that statute of limitations.

Coun. TAYLOR—Mr. President, I, too, would like to add just a word. When we are told that the city is morally responsible, I would like to call the attention of the Council to a certain case that was decided by the Supreme Court, Hetty Green against the City of Boston. That was a case where Mrs. Green was taxed for years for property that she did not own. Although not owning the property she paid the tax year in and year out. Finally, she found out that she had been paying taxes on property she had never owned, and she tried to get redress. As you know, in order to get an abatement or a return of taxes you have to apply within a certain time. But during the time when she had been paying she was under the impression that she did perhaps own the land and therefore did not file an application for abatement. The Supreme Court said she had no redress, that she did not file an application for abatement, and she would have to abide by the law. So she was unable to get her money back. Certainly, in that case Mrs. Green was morally entitled to a return of the money she had paid in taxes on that property, but she was unable to get it back.

Coun. WILSON—You consider that two wrongs make a right?

Coun. TAYLOR—No, I do not consider that two wrongs make a right, but I do say that nobody could have a greater moral right to a return of money that had been paid out in that way, and still the law said that she could not get it. Certainly, the moral obligation in that case was greater than it is here.

Coun. SHATTUCK—Mr. President, I wonder if the owners of the tea that was dumped into

Boston Harbor in pre-Revolutionary times might not recover for it! (Laughter.) It is true that it would be barred by the statute of limitations, but the fact is that it was their tea, and it was dumped overboard. Why shouldn't we pay for it now?

Coun. CHASE—Mr. President, we have a statute which enables a man who is injured because of a defect in the highway to bring action within a certain period, whether one or two years. If he does not bring his action within that period he is outlawed. Nevertheless, if he falls and is badly injured he is entitled to a remedy provided he brings his claim in a certain period. After that time he is not entitled to a remedy. Now, this statute of limitations applies to everyone, and I cannot see why this official should be considered as beyond the law. Let us bear in mind that we should consider the taxpayer in connection with this proposition. You are handling the taxpayer's money, not our money. Think of the widows who are forced to pay taxes on their property. They are subject to the law. Let us clearly bear in mind that it is the taxpayers' money, not ours.

Coun. Hutchinson's amendment, to reduce the amount to \$600 was rejected, yeas 6, nays 11:

Yeas—Coun. Chase, Hutchinson, Lyons, Shattuck, Sullivan, Taylor—6.

Nays—Coun. Carey, Englert, Fish, Fitzgerald, Harris, Irwin, Kerrigan, Murray, Langan, Rosenberg, Wilson—11.

The order was passed yeas 14, nays 4:

Yeas—Coun. Carey, Englert, Fish, Fitzgerald, Galvin, Harris, Irwin, Kerrigan, Langan, Lyons, Murray, Rosenberg, Sullivan, Wilson—14.

Nays—Coun. Chase, Hutchinson, Shattuck, Taylor—4.

RESURFACING OF WARD 10 STREETS.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 10, under the W. P. A. plan of construction: Wyman street, Wait street, Alleghany street.

Passed under suspension of the rule.

SEWERAGE CONDITIONS, WARD 10.

Coun. CAREY offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to conduct an investigation into sewerage conditions and into any other conditions that might exist and into which might be responsible for water seepage into cellars of buildings along the Riverway, Jamaica way and South Huntington avenue, in Ward 10.

Coun. CAREY—Mr. President, it has been called to my attention that there has been a constant accumulation of water and moisture in the cellars of buildings along the Riverway, Jamaica way and South Huntington avenue, in the neighborhood of Huntington avenue, causing inconvenience and possible danger to health to tenants in the buildings. I think it might be well to have an investigation made by the Public Works Commissioner to determine the cause of this condition, that is, whether or not it might be the result of faulty sewerage in the district, whether from the construction of the Huntington avenue overpass or from whatever cause. I ask, therefore, for favorable consideration and adoption of my order.

The order was passed under suspension of the rule.

THE NEXT MEETING.

The Council voted, on motion of Coun. IRWIN, that when it adjourn it be to meet on Thursday, December 29, 1938, at 2 p. m.

POSITION OF CHIEF CONVEYANCER, STREET LAYING-OUT DEPARTMENT.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council concerning the following:

1. For how long was the position of Chief Conveyancer in Street Laying-Out Department vacant?

2. By whom was the work of conveyancing done while the position was vacant, and is the person who did the work still in the department and available for the work.

3. Is the position under the civil service law, and if so why was the position recently filled by non-competitive examination?

4. What experience and training has the new appointee for the position?

Coun. SHATTUCK—Mr. President, I believe that position was vacant for some years, and I wonder why it is necessary to fill it now.

The order was passed under suspension of the rule.

POSITION OF SECRETARY TO BOARD OF ASSESSORS.

Coun. SHATTUCK offered the following:

Ordered, That his Honor the Mayor be requested to inform the City Council concerning the following:

1. The reasons for creating the position of secretary to the Board of Assessors.

2. Whether the position is subject to civil service, and if so why the recent appointee was given the position on a non-competitive examination.

3. Whether, when only recently the membership of the Board has been increased from three to five, it would not have been possible to serve both efficiency and economy by appointing one of the members of the Board to this position.

Passed under suspension of the rule.

SOLDIERS' RELIEF.

Coun. IRWIN, 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.

FENCE AROUND TABLET, AMERENA PARK.

Coun. IRWIN offered the following:

Ordered, That the Park Commissioner be requested, through his Honor the Mayor, to erect an iron fence around the tablet in Amerena Park, East Boston.

Passed under suspension of the rule.

REPAIR OF PORTER STREET SIDEWALK.

Coun. IRWIN offered the following:

Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to repair the sidewalk on Porter street, between Chelsea and Orleans street, which is in a very dangerous condition.

Passed under suspension of the rule.

ACCEPTANCE OF BURTON STREET, WARD 22.

Coun. SULLIVAN offered the following:

Ordered, That the Board of Street Commissioners be requested, through his Honor the Mayor, to accept and lay out the extension of Burton street, Ward 22, as a public highway.

Passed under suspension of the rule.

SIDEWALK CONSTRUCTION, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Russett road, from Esther road to 460 feet northerly, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoin-

ing, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Ordered, That the Commissioner of Public Works make a sidewalk along Esther road, from Greaton road to dead end, Ward 20, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed under suspension of the rule.

SURVEY FOR PLAYGROUND, WARD 20.

Coun. LYONS offered the following:

Ordered, That the Park Commission be requested, through his Honor the Mayor, to make a survey of the area along the Veterans of Foreign Wars Parkway, between Church and LaGrange streets, Ward 20, for the purpose of ascertaining whether or not there is any city-owned land which might be available for playground purposes and, if not, to include in their appropriation for the coming year a sum sufficient to purchase land for said purpose.

Passed under suspension of the rule.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following, viz.:

1. Report on petition of John DeCoursey referred November 21, recommending passage of accompanying order, viz.:

Ordered, That the sum of fifteen dollars (\$15) be allowed and paid to John DeCoursey in reimbursement for amount of execution issued against him on account of his acts as operator of a motor vehicle belonging to the Water Division, Public Works Department, said sum to be charged to the Contingent Fund.

Report accepted; said order passed.

2. Report on petition of Mortimer J. Coakley (referred December 5), recommending the passage of accompanying order, viz.:

Ordered, That the sum of one hundred and twenty-five dollars (\$125) be allowed and paid to Mortimer J. Coakley in reimbursement for amount of execution 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 Contingent Fund.

Report accepted; order passed.

CASHIER FOR CRESCENT AVENUE ENTRANCE, COLUMBIA STATION.

Coun. HUTCHINSON offered the following:
Ordered, That the trustees of the Boston Elevated Railway Company be requested, through his Honor the Mayor, to assign a cashier to the Crescent avenue entrance of Columbia Station to make change for patrons of the rapid transit system.

Passed under suspension of the rule.

RESURFACING OF WARD 13 STREETS.

Coun. HUTCHINSON offered the following:
Ordered, That the Commissioner of Public Works be requested, through his Honor the Mayor, to resurface the following streets in Ward 13, under the W. P. A. plan of construction: Elton street, Victor street.

Passed under suspension of the rule.

APPROPRIATION FOR INDUSTRIAL FUND, DEER ISLAND.

Coun. HUTCHINSON offered the following:
Ordered, That his Honor the Mayor be requested to submit an appropriation order in the amount of \$5,000 to the City Council for the Industrial Fund at Deer Island.

Passed under suspension of the rule.

REQUEST TO ASSESSORS TO APPEAR.

Coun. TAYLOR—Mr. President, by unanimous consent I will ask the President to see that the Board of Assessors are instructed to appear at the next regular meeting.

Adjourned at 3.55 p. m. on motion of Coun. WILSON, to meet on Thursday, December 29, 1938, at 2 p. m.

CORRECTION.

In Coun. Fitzgerald's remarks on "Removal of Ashes and Garbage, Ward 12," on page 409 of the Minutes, under date of December 12, 1938, near the top of the first column, the words "welfare recipients" should be stricken out, and the words "regular city employees" substituted, so that the remarks will read:

"Coun. FITZGERALD—Mr. President, I sympathize with the councilor from Ward 12, but I cannot put my vote of approval on the work being taken away from the regular city employees and let out by contract."

CITY OF BOSTON.

Proceedings of City Council.

Thursday, December 29, 1938.

Final meeting of the City Council held in Faneuil Hall at 2 p. m., President KERRIGAN in the chair and all the members present.

VETO OF McBRIDE STREET SIDEWALK ORDER.

The following was received:

City of Boston,
Office of the Mayor, December 29, 1938.
To the Honorable City Council.

Gentlemen,—I return herewith, without my signature, sidewalk construction lien order for sidewalk along McBride street, both sides, entire length, in Ward 11, and attach hereto a copy of a letter received from the Commissioner of Public Works.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
December 23, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—I am returning copy of lien order that was passed in the City Council on November 14, relative to the installation of artificial stone sidewalks on both sides of McBride street, Ward 11.

We conducted a canvass of the residents of this street to determine if they were willing to pay the assessments as provided under chapter 196 of the Acts of 1917. Of the thirty-four abutters, nineteen replied in the negative and fifteen in the affirmative.

In view of the fact that the majority of the residents was unwilling to pay the assessments, I recommend that this order be disapproved.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

WEEKLY COLLECTIONS OF ASHES AND GARBAGE.

The following was received:

City of Boston,
Office of the Mayor, December 29, 1938.
To the City Council.

Gentlemen,—I transmit herewith a response to an order passed by your Honorable Body in reference to regular weekly collections of ashes and garbage.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
December 27, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—The following order that was passed in the City Council on November 14 has been referred to me for promulgation:

"Ordered, That the Public Works Commissioner he requested, through his honor the Mayor, to take the following steps in providing for thorough cleaning of the alleys and streets in the mid-town area, especially Ward 4:

1. That the head of the Sanitary Department be instructed to provide regular weekly collections of ashes and garbage.

2. That the head of the Sanitary Department be instructed to provide ample waste containers at the most logical street corners.

3. That the employees of the Sanitary Department be instructed to be thorough in the performance of their duties, and also to be courteous to those whom they contact."

Every effort is being exerted to make weekly collections of garbage and ashes in districts where the collection is being done by city forces. The failure to make weekly collections can be attributed to a large extent to the necessity of having the employees of the Sanitary Division drafted to help in the emergency work occasioned by the hurricane of September 21. I also found that many of the regular employees were absent due to overtime acquired during the current year. I have temporarily cancelled such absences and have noted a marked improvement in the intervals of the collections since the issuance of this order. I have also requested Welfare Director William G. O'Hare to have all welfare workers who are assigned to other divisions of the Public Works Department transferred to the Sanitary Service, so as to give the necessary assistance to us in this important service.

Several months ago, at the request of the rooming house operators of the South End, I removed the waste containers from the streets, as they were being used for depositing waste materials other than paper or similar combustible material. They did not have a sufficient capacity to handle all of this material, much of it overflowing and being strewn in the sidewalk area adjacent to the location of the containers, thereby presenting an unsightly condition. We are now conducting a campaign in that section relative to street and alley clean-up, in the hope that we can clean up conditions without being forced to place the containers back on the sidewalks.

I do not feel that such containers should be placed in a lodging house district, because of the temptation they provide for the disposition of household offal. I intend, however, to have a special type container made up which will be adaptable to the narrow sidewalks of the intown area. I contemplate having these containers located, if possible, at every intersection in the intown area, north of Massachusetts avenue, with the exception of the residential and rooming house sections.

At every opportunity, I impress on the employees of the Sanitary Division that their service brings them in closer contact with the public than that of any other department, and that it is one of the most important services that we render because of the part that it plays in the health of the residents and the cleanliness of the city. I have instructed them on several occasions to be courteous at all times, and, in accordance with the provisions of the order, I have issued a bulletin, a copy of which I am inclosing, relative to the courtesies that should be extended and the service that should be rendered to the public at all times.

Respectfully yours,
GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

NOTIFICATION OF PARENTS OF INJURED SCHOOL CHILDREN.

The following was received:

City of Boston,
Office of the Mayor, December 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Secretary of the School Committee of the City of Boston relative to your order of December 5, 1938, concerning the notifying of the parents of Boston school children who may be sent to the City Hospital or elsewhere as the result of injuries or sudden illness in the schools.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
School Committee, December 27, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—At the meeting of the City Council on December 5, 1938, the Council requested the

Boston School Committee, through your Honor, to promptly notify the parents of Boston school children who may be sent to the City Hospital or elsewhere as the result of injuries or sudden illness in the schools.

The School Committee received your communication at a recent conference and directed the Secretary to inform your Honor that the policy suggested is one that has been followed in the schools for some time past. Repeatedly, the Superintendent of Schools has urged principals to see that children who, on account of illness of any nature must be sent home, are sent in the care of a teacher, if that is possible, or at least in the custody of a much older child. Not infrequently it happens that when the child reaches the home, there is no one there; then the school must do what it can to protect the child.

Before a child is sent to a hospital, the school must get in touch with the home and get the consent of the parent, but if, as happened recently, there is no one at the home, then the principal must act on the advice of the physician. The parent then is reached at the earliest possible

moment and given full and complete information regarding the case.

The School Committee feels that under these repeated instructions of the Superintendent, the child is protected and the parent is given the consideration to which he is entitled.

Respectfully yours,
ELLEN M. CRONIN, Secretary.

Placed on file.

NUMBER OF WELFARE CASES IN EACH WARD.

The following was received:

City of Boston,
Office of the Mayor, December 28, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Executive Director of the Overseers of the Public Welfare relative to your order of December 5, 1938, concerning the number of welfare cases in each of the twenty-two wards of Boston.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Overseers of the Public Welfare, December 27, 1938.

Hon. Maurice J. Tobin,

Mayor of Boston.

Dear Sir,—In accordance with the request of the City Council of December 5, 1938, forwarded through your office, I am submitting the following, showing the number of active cases in each ward of Boston:

| WARDS. | Dependent Aid. | Aid to Dependent Children. | Old Age Assistance. | Totals. |
|-------------|----------------|----------------------------|---------------------|---------|
| 1..... | 1,181 | 306 | 512 | 1,999 |
| 2..... | 545 | 137 | 602 | 1,284 |
| 3..... | 2,519 | 329 | 1,057 | 3,905 |
| 4..... | 989 | 48 | 1,228 | 2,265 |
| 5..... | 473 | 51 | 544 | 1,068 |
| 6..... | 728 | 203 | 494 | 1,425 |
| 7..... | 572 | 170 | 399 | 1,141 |
| 8..... | 1,097 | 152 | 779 | 2,028 |
| 9..... | 1,978 | 185 | 1,225 | 3,388 |
| 10..... | 402 | 169 | 359 | 930 |
| 11..... | 456 | 158 | 389 | 1,003 |
| 12..... | 532 | 187 | 713 | 1,432 |
| 13..... | 304 | 128 | 607 | 1,039 |
| 14..... | 419 | 114 | 226 | 759 |
| 15..... | 258 | 121 | 341 | 720 |
| 16..... | 175 | 42 | 486 | 703 |
| 17..... | 173 | 124 | 522 | 819 |
| 18..... | 215 | 124 | 555 | 894 |
| 19..... | 172 | 72 | 369 | 613 |
| 20..... | 33 | 33 | 327 | 393 |
| 21..... | 132 | 23 | 567 | 722 |
| 22..... | 214 | 99 | 333 | 646 |
| Totals..... | 13,567 | 2,975 | 12,634 | 29,176 |

Yours respectfully,

WILLIAM G. O'HARE,
Executive Director.

Placed on file.

REMOVAL OF TRACKS FROM CHELSEA STREET.

The following was received:

City of Boston,
Office of the Mayor, December 27, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the President and General Manager of the Boston Elevated Railway Company relative to your order of November 28, 1938, concerning the removal of the tracks from Chelsea street, from Bunker Hill street to the Chelsea Bridge.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Elevated Railway,
December 23, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your letter of November 29, with order of the City Council, I would say that it is the usual practice to remove unused tracks in connection with the reconstruction of streets in which the tracks are located. We have no objection to the removal of the tracks from Chelsea street, between Bunker Hill street and the Chelsea Bridge, but desire to call your attention to the fact that under the law we would be under no obligation to pay any part of the expense of resurfacing the street.

Very truly yours,
EDWARD DANA,
President and General Manager.

Placed on file.

INFORMATION RE OLD HARBOR VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Executive Director of the Boston Housing Authority relative to your order of December 5, 1938, concerning information relative to Old Harbor Village.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Housing Authority,
December 21, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—The following information is sent you in reply to your request of December 7, 1938, relative to City Council order of December 5, 1938:

"Ordered, That the Boston Housing Authority, through his Honor the Mayor, be requested to advise the City Council at once: (1) the official date when the first tenant moved into Old Harbor Village; (2) the number of apartments now rented; (3) the number of tenants who have moved out since the project was first opened; (4) the number of apartments vacant as of December 1, 1938."

The questions are answered in the order asked.

1. The first tenant moved into Old Harbor Village on April 28, 1938.
2. There were 980 apartments occupied as of December 1, 1938.
3. Five tenants have moved out of Old Harbor Village since the project was first occupied.
4. There were thirty-six unoccupied apartments as of December 1, 1938.

This information was communicated to the Executive Committee of the City Council by Mr. John A. Breen, Chairman of this Authority, when he appeared before that body on December 19, 1938.

Respectfully,
FRANCIS X. LANE,
Executive Director,
For the Authority.

Placed on file.

EVICION PROCEEDINGS, OLD HARBOR VILLAGE.

The following was received:

City of Boston,
Office of the Mayor, December 27, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Executive Director of the Boston Housing

Authority relative to your order of December 12, 1938, concerning the institution of no eviction proceedings against tenants at Old Harbor Village.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
Boston Housing Authority,
December 21, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle,—This letter is sent you as a matter of record concerning the following order passed in the City Council December 12, 1938.

"Ordered, That until the next meeting of the City Council, the Manager at Old Harbor Village through His Honor the Mayor and the Boston Housing Authority, be requested to institute no eviction proceedings against any tenants at Old Harbor Village."

You are advised that Mr. John A. Breen, Chairman of this Authority, appeared before the Executive Committee of the City Council on Monday, December 19, to fully discuss the subject matter of this order.

Respectfully,
FRANCIS X. LANE,
Executive Director,
For the Authority.

Placed on file.

W. P. A. RECREATIONAL PROJECT.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Executive Director of the Public Welfare Department relative to your order of December 5, 1938, concerning the transfer of funds to continue the W. P. A. Recreational Project for the balance of the year.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
City of Boston,
Overseers of the Public Welfare,
December 16, 1938.

Mr. William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Sir,—In reply to your memorandum dated December 7, 1938, with an order from the City Council attached, regarding transfer of funds to continue the W. P. A. Recreational Project for the balance of the year, funds have already been made available for this purpose.

Very truly yours,
WILLIAM G. O'HARE,
Executive Director.

Placed on file.

CHANDLER'S POND, BRIGHTON.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Park Department Chairman relative to your order of December 15, 1938, concerning the establishing of a bathing surface, skating rink and recreational center at Chandler's Pond in Brighton.

Respectfully,
MAURICE J. TOBIN, Mayor.

—
City of Boston,
Park Department, December 19, 1938.

Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have your memorandum of December 15, with inclosure, order from the City Council that the Park Department establish a bathing surface, skating rink and recreational center at Chandler's Pond in Brighton.

Please be informed, by direction of his Honor the Mayor, this department is preparing plans for the beautification of this area—providing a skating

pond, children's corner, mothers' rest, etc. No bathing beach will be constructed, owing to the danger of pollution of the waters, and as soon as we can definitely determine whether there is any claim on this land, the project for these improvements will be forwarded. Cross-sections of the area are being taken at the present time.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

Placed on file.

LEASING OF EAST BOSTON AIRPORT.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the Boston Park Department Chairman relative

to your order of December 5, 1938, concerning the leasing and renting of the East Boston Airport.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Park Department, December 19, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—I have received a memorandum from your office with inclosure, order from the City Council that this department be requested to forward certain information relative to the leasing and renting of the East Boston Airport.

I take pleasure in forwarding the requested information with the exception of Question 4, relative to contract between the State and the City of Boston. These contracts are in this office and are open for inspection any time.

Very respectfully yours,
WILLIAM P. LONG, Chairman.

City of Boston,
Park Department, December 13, 1938.

QUESTIONS 1, 2, 3.—EXISTING LEASES AT BOSTON MUNICIPAL AIRPORT.

| | |
|--|----------------|
| Inter City Air Lines, Inc. | |
| Hangar Lease, lot No. 1, January 1, 1929, to December 31, 1938 | \$1,000 00 yr. |
| Hangar Lease, lot No. 1W, April 1, 1929, to March 31, 1939 | 1,000 00 yr. |
| E. W. Wiggins & Co., Inc. | |
| Hangar Lease, lot No. 2S, April 1, 1929, to March 31, 1939 | 1,000 00 yr. |
| Ames Aircraft Corporation. | |
| Hangar Lease, lot No. 3S, April 1, 1929, to March 31, 1939 | 1,000 00 yr. |
| American Airlines, Inc. | |
| Hangar Lease, lot No. 4S, April 1, 1929, to March 31, 1939 | 1,000 00 yr. |
| Ticket and Information Office, Administration Building, June 1, 1937, to June 1, 1939 | 300 00 yr. |
| American Airlines, Inc., and Boston-Maine Airways, Inc. | |
| Room 17, Administration Building, used as post office, November 15, 1937, to November 14, 1938 (jointly) | 300 00 yr. |
| Boston-Maine Airways, Inc. | |
| Rooms 2 and 13, Administration Building, radio and office room and information room, for six months' period from September 1, 1938, to March 1, 1939 | 500 00* |
| Mayflower Airlines, Inc. | |
| Room 1, office room, for six months from July 1 to December 1, 1938 | 250 00* |
| Landing Field permit, for six months from July 1, 1938, to December 1, 1938 | 500 00* |
| Western Union Telegraph Co. | |
| Telegraph Office, Administration Building, August 1, 1938, to July 31, 1939 | 300 00 yr. |
| Noble Jackson. | |
| Restaurant concession, Administration Building, January 1, 1937, to December 31, 1939, Shell Eastern Petroleum Products, Inc. | 900 00 yr. |
| Gasoline dispensing privilege, May 1, 1931, to May 1, 1941 | 1,000 00 yr. |
| United States Government—Agreement. | |
| Weather Bureau Station, two office rooms and penthouse, also plot of ground 10 feet square for hydrogen storage and balloon inflation house | No rental. |

* For six months.

No. 5.—THE TOTAL COST OF THE CONSTRUCTION OF THE AIRPORT, BUILDINGS, ETC.

| | |
|--|-----------------------|
| Land | \$107,060 45 |
| Construction | 1,844,387 30 |
| Grading | 125,000 00 |
| | <u>\$2,076,447 75</u> |
| Federal Expenditures: | |
| Labor | \$1,775,000 00 |
| Materials | 225,000 00 |
| Total | <u>2,000,000 00</u> |
| City Expenditures, C. W. A., E. R. A. and W. P. A., for materials, to date | 160,000 00 |
| | <u>\$4,236,447 75</u> |

No. 6.—THE PRESENT OPERATING EXPENSE OF THE AIRPORT TO THE CITY OF BOSTON.

| |
|---|
| 1936. Maintenance, \$35,852.46 |
| 1937. Maintenance, 37,261.06 |
| 1938. Maintenance, 33,392.36 (to December 1, 1938). |

Placed on file.

TRAFFIC CONGESTION, WARD 6.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commission Chairman relative to your order of December 12, 1938, concerning some method to relieve the present congested traffic condition at the junction of Dorchester avenue and Broadway, Ward 6.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, December 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated December 12, 1938, which reads as follows:

“Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to devise some method to relieve the present congested traffic condition at the junction of Dorchester avenue and Broadway, Ward 6.”

There have been several suggestions made regarding the easing of traffic at the above intersection. One to continue Foundry street under West Fourth street to Dorchester avenue; another to continue Foundry street and cut across the vacant lot at the corner of Dorchester avenue and West Fourth street, and the third to widen Dorchester avenue from West First street to Old Colony avenue, and the fourth to purchase the land at the corner of Macallen street and Dorchester avenue, now occupied by an old brick building which contains a restaurant.

The first one is impractical on account of the nearness of the subway roof to the surface, which would prevent excavation much below the surface. The second would just transfer the bad condition

which is now at the corner of Macallen street and Dorchester avenue to the corner of West Fourth street and Dorchester avenue. The third, which is the best one, would require expensive land-takings and is questionable whether or not the finances of the city would permit it at the present time. The fourth one would be the least expensive of all of them and would give considerable relief by allowing the release of two lanes of traffic through a right turn into Dorchester avenue. The purchasing of this corner would be in line with scheme No. 3 when the time comes to the city to make land-takings for the widening of Dorchester avenue.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Place on file.

ONE-WAY TRAFFIC, CHARLESTOWN BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.
Gentlemen,—I transmit herewith a letter from the chairman of the Boston Traffic Commission relative to your order of December 5, 1938, concerning the establishing of one-way traffic over the Charlestown Bridge, from Boston to Charlestown, and one-way traffic on the Warren Avenue Bridge, from Charlestown to the North Station.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, December 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated December 5, 1938, which reads as follows:

"Ordered, That the Traffic Commission be requested, through his Honor the Mayor, to establish one-way traffic over the Charlestown Bridge, from Boston to Charlestown, and one-way traffic on the Warren Avenue Bridge, from Charlestown to the North Station."

This contemplates a major change in traffic and before a recommendation can be made a rather lengthy survey will be necessary. On the completion of this survey, a report will be submitted to you.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Place on file.

EASTERN MASSACHUSETTS RAILWAY BUSES AT HAYMARKET SQUARE.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the chairman of the Boston Traffic Commission relative to your order of December 12, 1938, concerning the buses operated by the Eastern Massachusetts Railway when entering their terminal at Haymarket square, that they be compelled to use the circle which was placed in this section in order that traffic might move more uniformly and for the purpose of avoiding traffic tie-ups and accidents.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, December 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated December 12, 1938, which reads as follows:

"Ordered, That his Honor the Mayor direct the Boston Traffic Commission to arrange to have buses operated by the Eastern Massachusetts Railway, when entering their terminal at Haymarket square, that they be compelled to use the circle which was placed in this section in order

that traffic might move more uniformly and for the purpose of avoiding traffic tie-ups and accidents."

Buses of the Eastern Massachusetts Street Railway and the Boston Elevated make a left turn from Cross street against the traffic in the traffic circle at Haymarket square. This movement is illegal but was suggested by the Traffic Bureau of the Police Department because they believe that keeping of buses from making the complete turn around the traffic island would not only assist the bus movement but would also assist the movement of traffic.

A plan is being prepared in this office for the construction of a bus roadway to be built approximately where the street car track now cuts across the traffic island. We believe that if the Elevated and the Massachusetts Street Railway will pay for this construction that it will make a good place to stop their buses, lay-over buses, and save them a great deal of time by cutting out additional movement around the entire circle.

A report will be made relative to the suggestion we are offering to the street railway companies as soon as possible.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Place on file.

TRAFFIC SITUATION, CHELSEA STREET.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen,—I transmit herewith a letter from the Boston Traffic Commissioner relative to your order of November 28, 1938, concerning the making of a survey of the hazardous traffic situation on Chelsea street, between Bunker Hill street and the Chelsea Bridge, with the view of arranging for some means of separating the highway into traffic lanes.

Respectfully,
MAURICE J. TOBIN, Mayor.

City of Boston,
Traffic Commission, December 20, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Mr. Mayor,—I have the honor to acknowledge receipt of Council order dated November 28, 1938, which reads as follows:

"Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to make a survey of the hazardous traffic situation on Chelsea street, between Bunker Hill street and the Chelsea Bridge, with the view of arranging for some means of separating the highway into traffic lanes, and thereby curtail the large number of accidents now prevalent at this point."

I assume that Coun. Galvin is interested in having a narrow island built in the center of Chelsea street, from Bunker Hill street to the Chelsea North Draw, so that it would divide the roadway into a double-barreled highway.

The present Chelsea street viaduct, between the Chelsea North and the Chelsea South Bridge, has a 45-foot roadway. A 3½ or 4 foot island constructed in the center of this roadway would assist materially in channelizing traffic across this high-speed viaduct. At the present time, the City of Boston maintains roadway surface of this viaduct and the Boston & Maine Railroad maintains the remainder of this structure.

Mr. Shugrue, division engineer of the Boston & Maine Railroad, in charge of bridges, has been contacted and he believes that if the city should construct an island of this sort on this viaduct that the railroad company should be relieved or compensated for any additional money they would have to spend in repairing the steel structure of this viaduct.

The matter of constructing this island will be gone into more fully and a further report will be submitted on our recommendations.

Respectfully yours,
WILLIAM P. HICKEY,
Commissioner.

Place on file.

SHUTTING OFF WATER DURING HOLIDAYS.

The following was received:

City of Boston,
Office of the Mayor, December 24, 1938.
To the City Council.

Gentlemen.—I transmit herewith a letter from the Public Works Commissioner relative to your order of December 12, 1938, concerning the suspension of the present system of shutting off water for unpaid water bills during the holiday season.

Respectfully,
MATRICE J. TOBIN, Mayor.

City of Boston,
Public Works Department,
December 23, 1938.

William T. Doyle,
Chief Clerk, Mayor's Office.

Dear Mr. Doyle.—I have copy of the following order that was passed in the City Council on December 12, 1938:

"Ordered, That his Honor the Mayor be requested to instruct the Commissioner of Public Works to suspend the present system of shutting off water for unpaid water bills during the holiday season."

I have issued instruction that the present Flow Reduction Campaign be discontinued until January 7, 1939.

I recommend that this order be approved.

Respectfully yours,

GEORGE G. HYLAND,
Commissioner of Public Works.

Placed on file.

TRANSFER FROM PARKMAN FUND.

The following was received:

City of Boston,
Office of the Mayor, December 27, 1938.
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 \$2,227.97 from the income of the George F. Parkman Fund to the Maintenance and Improvement of the Common and Parks in Existence on January 12, 1937.

I submit herewith an appropriation order and respectfully recommend its immediate passage by your Honorable Body.

Respectfully,
MATRICE J. TOBIN, Mayor.

City of Boston,
Park Department, December 21, 1938.
Hon. Maurice J. Tobin,
Mayor of Boston.

Dear Sir,—By vote of the Board of Park Commissioners you are hereby respectfully asked to request the City Council to transfer from the income of the George F. Parkman Fund the sum of \$2,227.97 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..... \$2,227.97

When making up the budget estimates for the year 1938, 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 1938, 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 \$2,227.97 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..... \$2,227.97
The order was passed, yeas 19, nays 0.
The communication of the Mayor was placed on file.

PETITIONS REFERRED.

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

Claims.

Frank D. Aleo, for refund on refuse tickets.
Elmer R. Crawford, to be reimbursed for execution issued against him.

Daniel T. Donahue, for compensation for injuries caused by city car.

John P. Finnegan, to be reimbursed for execution issued against him.

Edward H. Gallagher, for compensation for damage to car caused by an alleged defect at New Heath street and Columbus avenue.

William Gordon, to be reimbursed for fee paid for sightseeing automobile.

Charles R. Haid, for reimbursement for judgment issued against him.

John S. Ingham, for compensation for damage to car caused by an alleged defect at 529 Commercial street.

Lewis Kasanof, for compensation for damage to car by city cart.

Rosella Larkin, for compensation for injuries caused by an alleged defect in Walk Hill street.

Edwin S. Macgregor, for compensation for damage to coat caused by an alleged defect at Tremont street and Temple place.

Alton F. Malone, for compensation for injuries caused by an alleged defect at 51 Chardon street.

Harold J. McQuin, for compensation for damage to car by city truck.

William A. McVay, for compensation for damage to car caused by an alleged defect in Chelsea North Bridge.

Joseph O'Donnell, for compensation for damage to property at 1123 and 1125 Columbus avenue, caused by bursting water main.

Anna Palermo, for compensation for injuries caused by an alleged defect at Haymarket square.

J. S. Rosenbloom, for compensation for damage to property at 167 Cambridge street, caused by break in sewer pipe.

Mary Scanlan, for compensation for injuries caused by an alleged defect at 470 Atlantic avenue.

Joseph Scaramella, for compensation for damage to car caused by an alleged defect at 34S Warren street.

Lawrence M. Tilton, for compensation for damage to car by city truck.

United States Counter and Shank Company, Inc., for compensation for damage to car by city wagon.

Louisa Little Whitelock, for compensation for damage to car by fire engine.

Committee on Jitney Licenses.

Petition of Boston Elevated Railway for license to operate motor vehicles between junction of North Beacon street and Market street and Oak square, Brighton, over Market street, Faneuil street and Oak square; together with and including a loop over Hobart street, Brooks street and Faneuil street in either direction.

Petition of Canton & Blue Hills Bus Line for license to operate motor vehicles from Boston and Milton line at Mattapan square to Rapid Transit Terminal of Boston Elevated Railway, a distance of about one-eighth of a mile.

APPOINTMENT OF REV. THOMAS R. REYNOLDS.

Notice was received from the State Board of Housing of appointment as its representative member of Boston Housing Authority, for term of five years from December 23, 1938, of Rev. Thomas R. Reynolds, 33 Stanton street, Dorchester.

Placed on file.

APPROVAL OF TAX TITLE LOAN.

Notice was received from the Emergency Finance Board of vote passed December 20, 1938, approving tax title loan of City of Boston for \$1,500,000, notes to bear interest at one per cent payable at maturity, proceeds of said loan to be used for purpose of meeting outstanding revenue loans.

Placed on file.

MINORS' LICENSES.

Applications were received for minors' licenses from four newboys. Licenses granted under the usual conditions.

TAKING OF LAND BY METROPOLITAN DISTRICT COMMISSION.

Notice was received from the Metropolitan District Commission of taking of land at Mt. Vernon street for purpose of road improvements on Old Colony Parkway near Columbia Circle, for Columbia Circle underpass.

Placed on file.

APPOINTMENT OF ANDREW J. DAZZI.

Notice was received from the Mayor of appointment of Andrew J. Dazzi of 125 Church street, West Roxbury, to be a member of the Board of Commissioners of School Buildings for term ending December 1, 1941.

Placed on file.

CONFIRMATION OF APPOINTMENTS.

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

1. Action on appointments submitted by the Mayor December 19, 1938, of H. Bloom, Primo Barile, William N. Burns, Walter T. J. Keddy, Robert Perkins and Fred Holway, to be Weighers of Coal.

The question came on confirmation. Committee, Coun. Irwin and Sullivan. Whole number of hallots 16, yeas 14, nays 2, and the appointments were confirmed.

ROBERT WHITE FUND INCOME AND HEALTH UNIT IN DORCHESTER.

Coun. WILSON offered the following:

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to advise the City Council the total amount of annual income of said fund accrued during each of the past four calendar years and as yet unexpended.

Ordered, That the trustees of the George Robert White Fund be requested, through his Honor the Mayor, to consider the early advisability of constructing a Health Unit in the Central Dorchester District.

Coun. WILSON—Mr. President, I am very sure the various members of the Council will be interested in those orders, for obvious reasons. In previous years councilors representing various outlying wards of the city, including representatives from Dorchester, have been interested in the Parkman Fund income, having in view the fact that something of importance, coming within the provisions of the will, might be done for their sections of the city as well as for the intown sections. We feel strongly out in Dorchester, having no hospital accommodations there now, that, considering the treatment that has been accorded other sections, at least one health unit should be located in that district, comprising five wards of the city. It is true, of course, that when such a unit is provided through the White Fund the cost of maintenance is a substantial burden on the city. But it is a thing very much needed, and I believe that such a unit should be established in the Dorchester district from the White Fund. I understand that the income from the fund has collected year after

year. The Prado, a beautiful park, has been constructed, and other projects are under consideration, and it does seem that now is the time to call the importance of health units to the attention of the trustees and the Mayor. Even though it means a burden on the city for maintenance, I still feel that that growing section, a section which can be grouped as one of the growing sections of the city with West Roxbury and Hyde Park, is entitled to consideration in this matter. There obviously is sufficient money in the White Fund to construct such a unit, and I believe the Mayor and the trustees of the fund should give the matter very careful consideration at this late date and recognize the five Dorchester wards in this way.

Coun. ROSENBERG—Mr. President, speaking on the order presented by Councilor Wilson, I wish to say that I, as well as other councilors from the district, have done everything possible, at one time and another, to get money from the White Fund for the erection of a youth center in Franklin Park in the immediate vicinity of Talbot and Blue Hill avenues in the Dorchester district. I have communicated with the trustees of the White Fund on several occasions and feel that this is perhaps the most opportune time for the trustees to consider the needs of the Dorchester district, which has not received any money from the White Fund. Certainly, the people of Dorchester deserve some consideration, either in the way of a health unit or the erection of a youth center for the benefit of residents of the district.

The orders were passed under suspension of the rule.

CIGARETTE VENDING MACHINES.

Coun. WILSON offered the following:

Ordinance Concerning the Sale of Cigarettes or Tobacco by Vending Machines.

Be it ordained by the City Council of Boston, as follows:

Section 1. No person shall vend or sell cigarettes, cigars or tobacco by the use of automatic vending machines or locate, install, keep, maintain or use, or permit the location, installation, keeping, maintenance or use upon his premises of any vending machine, automatic vending machine, or coin controlled, or coin operating machine, or other mechanical device used or engaged to be used for the sale of distribution of cigarettes, cigars or other tobacco products by such method until said person has obtained a license therefor, granted by the Mayor and the City Council.

Section 2. Such licenses shall contain a copy of the rules and regulations established by the City Council with the approval of the Mayor, shall be for the term of one year from the date of issue, and the license fee shall be _____ dollars for each such vending machine, automatic vending machine or coin controlled, or coin operating machine or other mechanical device used or engaged to be used for the sale or distribution of cigars, cigarettes or other tobacco products by such method. Each licensee agrees to be bound by the rules and regulations set forth in the license, and violation thereof shall be cause for immediate revocation.

Section 3. Any person violating the provisions of section one hereof shall, upon conviction, be subject to a penalty not exceeding twenty dollars for each offense.

Ordinance Prohibiting the Sale of Cigarettes or Tobacco by Vending Machines.

Be it ordained by the City Council of Boston as follows:

Section 1. No person shall vend or sell cigarettes, cigars or tobacco by the use of automatic vending machines or locate, install, keep, maintain or use, or permit the location, installation, keeping, maintenance or use upon his premises of any vending machine, automatic vending machine, or coin controlled, or coin operating machine, or other mechanical device used or engaged to be used for the sale or distribution of cigarettes, cigars or other tobacco products by such method.

Section 2. Any person violating the provisions of section one hereof shall, upon conviction, be subject to a penalty not exceeding twenty dollars for each offense.

Coun. WILSON—With reference to cigarette vending machines, I have in mind that the Council in executive session might consider the proposed

ordinance either to har from Boston such machines—the original purpose of my order—or to have them adequately licensed. I understand that the Law Department has filed, in accordance with my request, a certain form of ordinance, and I trust that the Council will consider the matter in executive session.

The ordinances were referred to the Executive Committee.

FUND RAISED IN TAXICAB SITUATION.

Coun. WILSON offered the following:

Whereas, Newspaper reports of statements made at a hearing held before the City Council Committee on Public Safety on December 28, 1933, suggest (1) that four members of the City Council talked with one Miller concerning a rumor that \$10,000 had been raised as a fund to influence Council action in the taxicab situation, and (2) that one member of the Council talked on the telephone with one Naymie stating that four other councilors had received presents just before Christmas; now therefore be it

Resolved, That if any member or members of the City Council have any personal knowledge of any such conversations or reports, such member or members at once advise the City Council in detail concerning the same.

Coun. WILSON—Mr. President, I don't want to be misunderstood with reference to that resolution. Although a member of the committee that held the hearing yesterday, I wish to state that, because I had been under the weather for a few days, I was not present at the hearing, which, in view of the developments that took place, was perhaps fortunate, because I am now able, because of that fact, to place myself in the position of the general public. The only reaction I have, therefore, and the only impression I can gather in regard to the hearing are from the same sources that the public impression has been gathered,—that is, from reading the morning papers; because neither I nor the public were present at the hearing or had first-hand knowledge of what occurred. I read the morning papers, however. I realize of course, that from reading headlines, without carefully reading the story under the headlines, one frequently gets a wrong impression. But from reading not only the headlines but the articles themselves, I gathered that no member of the Council had solicited payments or had done anything of an illegal nature so far as anything that appeared in the hearing was concerned. It did seem, however, that if the newspaper reports are correct, members of the Council had, for one reason or another, talked with officials of the taxicab company. I don't think the matter necessarily calls for investigation by the District Attorney, the Finance Commission or any other body. I believe it is incumbent on the City Council to clean its own house, and I use those words without intending to imply anything objectionable of any member of the Council. I think if any members of the Council were correctly referred to in this matter yesterday, they owe it not only to the members of the Council as a whole but to themselves as individuals, upon this resolution being sent to the Executive Committee, to tell the Council just exactly what happened, which led to the statement made in the committee hearing. I say, again, that the resolution is offered with no disrespect to any member of the Council, but after reading the morning papers and getting the same reaction that any member of the public would get from reading those papers as I did, it seems to me the fair and proper thing to do is to clean our own house, and if there was the contact referred to in the committee hearing with any members of the Council, I feel that those members should in Executive Committee today explain to the rest of the Council the basis, if any, for the remarks made in yesterday's committee meeting.

Coun. NORTON—Mr. President, every few years this same thing happens. A few years ago we had the baseball scandal, and there have been at times scandals connected with land deals. There is one body that, under the law, has the power to investigate such matters. Each member of this Council, whether he likes it or not, is under a cloud as the result of the charges made. Under the law there is one organization that has the power specifically to investigate such a situation, and that is the Boston Finance Commission.

Therefore, in what I believe is the interest of every member of the body, I am going to introduce a resolution to the effect that we ask the Boston Finance Commission to investigate this entire situation. They have a power that we do not have, to summon anybody connected with this taxicab matter and place them under oath. There is one body that has that power, and that is the Boston Finance Commission. I am, therefore, going to introduce an order to ask the Boston Finance Commission to make the so-called investigation, with a view to clearing each member of the cloud which he is now under as a result of what was stated in the Committee on Public Safety relative to the taxicab situation.

Coun. CHASE—Mr. President, as a member of the Committee on Public Safety I was one of the councilors who suggested and insisted that the representatives of the I. T. O. A. at yesterday's meeting tell our committee the names of the councilors referred to, who were alleged to have made this representation to a I. T. O. A. taxi representative. There is considerable confusion about the whole matter. The representatives of the Independent Taxi Company denied that such representations were made to them, and it was only after the severest cross-examination by our committee that they finally acknowledged that some four members of our body talked to them. I felt at that time, and I feel now, that in justice to the members of the City Council the representative of the I. T. O. A. should come out in the open and name the men who allegedly made representations to them. This is a cloud on the entire membership of the City Council and I, for one, deeply regret that such a situation has arisen. I have been a member of this body for only about a year, and I have worked hard and honestly endeavored to do everything I could for the benefit of the majority of the people of Boston. I have been under pressure on more than one occasion. For instance, while the housing proposition was before us, which involved an expenditure of \$19,000,000, I insisted that this Honorable Body should be given more time to weigh the matter, due to the fact that it was such a huge proposition, and one upon which we were not given time for proper consideration. But that laid me open to attack by the C. I. O. and others, including the Communist Party of Massachusetts. I have a letter here giving an idea of the pressure with which men in public office have to contend, and I am going to read it. The public has received only one side of this story, and I insist that they shall receive the other side. This is something that I have received from the Communist Party.

"Ward 4 Betrayed."—

President KERRIGAN—The councilor is out of order.

Coun. CHASE—This may be a little out of order. Nevertheless, something is involved that the Council is interested in, and I insist that it be read into the record.

President KERRIGAN—Out of order. The order is referred to the Executive Committee.

INVESTIGATION BY FINANCE COMMISSION OF TAXICAB CHARGES.

Coun. NORTON offered the following:

Ordered, That the Boston Finance Commission be requested to investigate the so-called taxicab scandal.

Referred to Executive Committee.

Coun. FITZGERALD—Mr. Chairman, what action was taken on that order?

President KERRIGAN—It was referred to the Executive Committee.

Coun. NORTON—If you would like, councilor, I would like to have a vote taken upon the order right here and now.

President KERRIGAN—The Chair will state that both Councilor Wilson's and Councilor Norton's order have been referred to the Executive Committee.

Coun. NORTON—Mr. President, is there any objection to voting on my order now?

President KERRIGAN—The Chair has referred the order to the Executive Committee. It will be reported upon later in the day.

RELOCATION OF TRAFFIC LIGHT SIGNALS.

Coun. ROSENBERG offered the following:

Ordered, That the Traffic Commissioner be requested, through his Honor the Mayor, to consider the advisability of removing automatic traffic signal lights from locations in the city proper which are covered by traffic officers and relocating the same at dangerous intersections in the suburban sections of the city where they are most needed.

Coun. ROSENBERG—Mr. President, we find in the heart of the City of Boston, particularly along Washington and Tremont streets, automatic traffic signal lights that are really unnecessary, because those streets are already amply covered by police officers. As a general rule, in such congested streets in the heart of the city, traffic lights, where there are also police officers, really interfere with the flow of traffic. That has been demonstrated recently by remarks made by members of the Police Department before the City Council Committee on Traffic Conditions. It seems clear that such lights in places already adequately covered by the police are really impeding downtown traffic in Boston, that if we did not have the lights on such streets we would not have the trouble that we are now having. At a recent meeting I asked his Honor the Mayor to confer with the Police Commissioner and see if something could not be done to increase the number of such traffic lights in the suburban sections, where we do not have the traffic officers that we have in town. We need such lights at bad intersections in the outlying districts. I have in mind an Avalon street intersection in Dorchester where we now have a heavily traveled thoroughfare and a place where people have been injured and killed. There is also Woodrow avenue, Blue Hill avenue and other streets in the suburban sections of Boston, where additional safety would be provided by traffic lights. I trust, therefore, that the Mayor will be able to make arrangements, through the Traffic Commissioner, so that the useless lights in the downtown business section of Boston may be removed, where there are traffic officers to guide the traffic, and that such lights can be used in places in the suburbs where they are really needed, and where there are no officers.

The order was passed under suspension the rule.

TAXATION OF FOREIGN CORPORATIO S.

Coun. ROSENBERG offered the following:

Ordered, That the Board of Assessors be requested, through his Honor the Mayor, to inform the City Council whether a foreign corporation doing business in Boston is taxed by the Commonwealth, and if so taxed, what proportion of the tax collected is returned to the City of Boston.

Passed under suspension of the rule.

YOUTH CENTER, FRANKLIN PARK.

Coun. ROSENBERG offered the following:

Ordered, That his Honor the Mayor be requested to confer with the Park Commissioner and the W. P. A. authorities relative to the securing of an outright grant for the purpose of erecting a Youth Center in Franklin Park in place of the Locker Building which is now there.

Coun. ROSENBERG—Mr. President, I have at times requested the trustees of the George White Fund to erect either a Health Unit or a Youth Center at Franklin Field, but without effect so far. I feel, however, now that we are about entering upon the new year, that it might be a proper time for the Mayor to consult with the W. P. A. authorities and the Park Commissioner with a view to procuring a City of Boston grant for the purpose of erecting a Youth Center in Franklin Park in place of the Locker Building that is now there.

The order was passed under suspension of the rule.

BUS, EGGLESTON SQUARE TO BROOKLINE VILLAGE.

Coun. TAYLOR and ENGLERT offered the following:

Ordered, That the trustees of the Boston Elevated Railway Company inform the Boston City Council why the bus service from Eggleston square to Brookline Village has not been started although the application for the permit has been granted.

Coun. TAYLOR—Mr. President, this may not seem to be so important as some other things to some of the members of the City Council, but it is a question that is mighty important to the people of Wards 11 and 12. Many months ago the Boston Elevated made application, and a permit was granted, to operate buses from Eggleston square to Brookline Village, because of the continual demand of the people residing in those districts for quicker and better transportation between those two points. I cannot understand why there has been such a delay. I was informed several months ago that such a bus line would start in the early part of September. Four months have now elapsed, and nothing has been done for the people of those districts. Such a bus line would mean a saving of half to three quarters of an hour to the residents of that section, who now must go to Dudley street and then transfer to Brookline. If this proposed bus line is put into operation it will mean only a five-minute ride from Eggleston square to Brookline Village. I cannot understand why the trustees have not taken action on this very important matter that concerns the people of these two districts.

The order was passed under suspension of the rule.

FUEL FOR RECIPIENTS OF OLD AGE ASSISTANCE.

Coun. CAREY offered the following:

Ordered, That the Overseers of Public Welfare be requested, through his Honor the Mayor, to promptly inform the City Council as to the reason for the delay in delivery of fuel to recipients of Old Age or any other form of assistance.

Coun. CAREY—Mr. President, it is quite apparent that certain suppliers of fuel are being given business by the city to a greater extent than they are able to handle it. Now, business is one thing and consideration of the unfortunates is something else. I had a situation arise in my district during the past week where consideration of the fuel recipient was wholly disregarded. The case in question concerns an elderly lady who is a recipient of Old Age Assistance and she is now in the twilight of life, and she was left without heat for one week through what was nothing but gross negligence plus deceit. Her grandson mailed her order for oil to the County Coal Company on Wednesday, December 21. Not having received her oil on Saturday the grandson telephoned the office of the County Coal Company and was informed that the oil was on the way to her home. During all this time this elderly lady was herself confined to bed with illness. Last Sunday, Christmas Day, came and went and still her oil was not delivered. Yes, on Christmas Day, that day given up to happiness and good will and that day, in anticipation of which thousands who are more fortunate go out of their way in an endeavor to bring happiness and comfort to thousands less fortunate, and yet on Christmas Day this elderly lady is left without heat because of neglect and deceit. As a matter of fact the oil was not delivered to her until last Tuesday. I have introduced this order today because of the fact that last winter, on more than one occasion, complaints were made to me of what was unquestionably unreasonable delay in delivery of oil on the part of this same company. If the County Coal Company is unable to handle the business that is given to them they should so admit it. If they are to assume an independent attitude and in effect say, "Let these unfortunates wait for their oil and fuel," I say that the time has come when they should be given no more of the city's business. An investigation on the part of the Overseers of Public Welfare will be beneficial and I therefore ask that my order be passed.

The order was passed under suspension of the rule.

AGE OF REGISTERED VOTERS.

Coun. CAREY offered the following:
 Ordered, That the Board of Election Commissioners be requested, through his Honor the Mayor, to insert the age opposite the name of each person on all future lists of registered voters published by the Election Department.

Coun. CAREY—Mr. President, I feel that that order is a good one, for the reason that candidates for office will be assisted, when they look at the list of registered voters, in seeing the age of the voter. It will tend to do away with certain practices that we hear about so often. I ask, therefore, for the passage of the order.

The order was passed under suspension of the rule.

LAND TAKINGS FOR FEDERAL HOUSING PROGRAM.

Coun. CHASE offered the following:

Ordered, That the Boston Finance Commission be requested to investigate all land takings made in conjunction with the Federal Housing Program in Boston.

Coun. CHASE—Mr. President, that order has been suggested to me because of what has been brought to our attention from time to time in regard to land takings made in conjunction with the Federal Housing Program in Boston. The fact is that different civic associations have complained, that people who are on welfare have complained, that the W. P. A. people have complained, that people interested in the housing proposition are complaining, and in justice to all I feel that an investigation of such land takings is the only proper thing to do in cleaning up such situations as arose in this Council some few months ago. I was one of eleven members of the City Council who pleaded that we should be given more time to consider such a tremendous proposition, involving \$19,000,000 of the taxpayers' money in Federal housing. I was subjected to severe criticism from various sources, from every un-reputable person in Boston, from the Communist Party and the C. I. O., and many other people with whom I would not care to associate. I am curious to know why there should be such interest on the part of these elements in the community in Federal housing. The poor people of Boston do not benefit by this Federal housing, therefore why are these people so much interested in it? I have something here that I think will open your eyes, something about which I feel the public in general should know. This will show to the City Councilors and to the people of Boston the unfair criticism that is hurled at councilors because they try to do their duty:

"Ward Four Betrayed.

Republican City Councilor Votes Against Housing Appropriation.

On Wednesday, October 9, the Boston City Council voted 11 to 9 against immediate acceptance of the Federal Government appropriation of \$19,000,000, for a low-cost housing program in Boston. After stalling for a week, eleven city councilors voted to postpone action until Monday, October 24.

Petrie Dyar Chase, Republican city councilor from Ward 4, was one of the eleven reactionaries who voted against this program, despite the fact that one of the housing projects was to be located in the South End area. Mr. Chase's statement, shedding false tears for "the real poor," was aimed to cover his betrayal of his Negro and white constituents, who would benefit from low-rent, modern apartments. The citizens of Boston, including us of the South End, voted overwhelmingly for the New Deal in 1936.

Does Mr. Chase represent us, or the real estate and banking interests?

The South End needs, and our citizens want a housing project in our community. It is not yet too late! Mr. Chase should be bombarded with letters, telephone calls, and delegations between now and Monday from individuals, unions, clubs and groups in our ward. Mr. Chase can be convinced to vote 'Yes' on Monday.

This action of Mr. Chase, his fellow-Republicans, and several Tory Democrats on the City Council, is a cheap election maneuver to put a monkey wrench into the progressive social program of President Roosevelt and the New Deal. It is a good example of what the working people and

small business men can expect from the Republican Party stooges of Big Business. With 100,000 unemployed Boston citizens, with slums and fire traps all over the South End, and Boston, all these 'Charlie McCarthys' for the big real estate men can do is quibble and stall.

The Ward 4 Branch of the Communist Party of Boston demands that Mr. Chase really represent his constituents of the South End by voting to accept the \$19,000,000 appropriation on Monday. We urge all citizens and organizations in our community to visit, telephone, or write Councilor Chase today.

South End Wants a Housing Project.
Election Rallies.

Saturday, October 22, 1938; Columbus avenue, corner Wellington street, 7.30 p. m.; Florist Exchange square, 9.30 p. m.

Boston Arena Rally, Sunday, November 6, 3 p. m., Earl Browder, Granville Hicks. Tickets, 25 cents, 55 cents, \$1.10.

Read the *Daily Worker*.

On sale at Bay Bay Spa corner of Dartmouth street and Columbus avenue. Andelman's news stand, Tremont street, opposite Hotel Bradford. Uptown news stand, Huntington avenue, near Massachusetts avenue.

MASSACHUSETTS STATE COMMITTEE
COMMUNIST PARTY OF U. S. A."

Now, Mr. President, I have in mind that the Federal Housing issue was put on the ballot in four wards in Boston. I have in mind that the citizens of those four wards voted overwhelmingly against Federal Housing. I have in mind that the poor people of Boston do not benefit by the Federal Housing proposition. I have in mind that these people, because I required at least proper time to consider the matter, accused me of representing the banking interests. I ask you, Mr. President, did I not state in my speech before the Council that I wished the thing held up because there were important considerations involved that required considerable study and attention? We had to find out how many poor people would benefit. Did I not allege that those on relief would not benefit, that those on W. P. A., would not benefit, that those getting Mothers' Aid would not benefit? Did I not ask for more time so that we might determine the feeling of the vast majority of the people of Boston and how they would be affected in the matter? I am sorry that it is necessary for me to rehash this story, but I am forced to do so because of the unfair criticism in the Boston papers; such as we have seen this morning. I desire to show to the public the unfair criticism to which members of the Boston City Council are subjected by the I. T. O. A. and other influences in this city, making statements that the entire body is doing something which is unjust. I would like to have the whole thing brought out into the open and the finger pointed at the people actually responsible for some of these things about which criticisms are made.

President KERRIGAN—The order is referred to the Executive Committee.

Coun. NORTON—Mr. President, I trust for the purposes of the record that you will allow me to make one statement. I have here the latest publication of the United States on the housing situation, and I would respectfully recommend it for reading by the members of the Council. It gives an answer to the argument we recently saw in one of the Boston papers. Mr. President, we have 12,400 people on old age pensions in Boston today, some of them eighty years of age, some ninety years of age, and many of them living in cold homes with leaky roofs, homes that they are unable to heat during the winter season in Boston. I wish every member would understand that we have it within our power, with the Mayor, to appropriate \$150,000 of the \$3,000,000 now being paid for rent, which would be used for rentals in such projects as these, cutting the average rental from \$20-odd a month to \$13. In doing that, we will reach the poorest of the poor in Boston. We should during the coming year use our strongest endeavors to see that something of that sort is done, and I would like to see this publication printed in our record, for the benefit of the councilor from Dorchester and also the councilor from the Back Bay.

Coun. WILSON—Mr. President, I am always willing to get additional light on the housing proposition, and I will accept with pleasure any literature that the gentleman can give to me. I would ask the councilor from Hyde Park, through the Chair, if he has some extra copies of the document he has referred to, to send them to the Mayor of the city of Everett. I was in Everett at a great public hearing last evening. There was talk there of putting through a million and a half dollar project. There were 1,000 signatures presented to the City Council against the proposed housing project, and the Council voted against it, and I learned for the first time from Mr. Carroll, who addressed the meeting in favor of housing, and if I am wrong Councilor Norton can check it up,—that the housing idea, after all, was not the brain child of President Roosevelt, but the idea of the late President Hoover. I know that President Hoover has done a lot of things in his day, but I heard last night for the first time that that housing idea should be pinned on Hoover. So I would ask that a copy of that housing document be sent to the Mayor of Everett, in view of his attitude on housing, and I would like also to pass on to him for his assistance the information that this is not a new idea of President Roosevelt's, but that it originated with President Hoover.

Coun. NORTON—I am glad to hear the gentleman state that the idea was originated by President Hoover.

Coun. WILSON—But you don't accept the statement as proof?

Coun. NORTON—Well, with a reservation.

Coun. SHATTUCK—Mr. President, I rise to a point of order, that the gentlemen are not addressing the Chair.

Coun. NORTON—Mr. President, I humbly apologize for any so-called indifference on my part. I am sure you understand that it is not to be charged to any intentional dereliction on my part, but simply arises because of the fact that Councilor Wilson and myself are so used to addressing each other that sometimes we forget. I am glad that the councilor from Ward 5 (Coun. Shattuck) called such an important matter of business to my attention! Now, Mr. President, when Hoover returned from Europe the first statement he made to the press was that America was far behind some of the European lands in the matter of slum clearance, and I might call to the councilor's attention, when he speaks of the meeting in Everett, that thousands in America have been against slum clearance. Providence, Rhode Island, voted against accepting a slum clearance program, even though it was found that there were twenty-five families there using one furnace, and in one block the sickness was three times what it normally should be. We feel that there will always be more or less objection to slum clearance, until the subject is properly brought to the attention of the American people. These things are all a matter of education and progress. If it were not for the work done by Horace Mann in the last century, in the matter of public school education, it might not be possible for me, or the likes of me, to stand here and properly represent our constituencies. My ancestor undoubtedly had greater natural ability than I have, but he was seriously handicapped because of the lack of a public school education. But the world moves on, education advances, and there is progress. It is so with this matter of slum clearance. Mayor LaGuardia of New York said in a national hook-up, that was reproduced in the New York *Herald* that he considered that the greatest progress this nation has made in recent years is along the line of housing, and I am sure that those opposed at the present time to slum clearance will favor it when we iron out some of the little wrinkles that are now in it. Thank you.

REPORT OF COMMITTEE ON CLAIMS.

Coun. HUTCHINSON, for the Committee on Claims, submitted the following report:

The Committee on Claims respectfully submits the following report showing the disposition of claims during the municipal year 1938:

Claims pending January 1, 1938. . . 1,395
 Claims received during 1938. 615

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|---|------------|
| Claims disapproved during 1938. . . | 360 |
| Claims approved during 1938. . . . | 113 |
| Amount paid out on approved claims. | \$3,380 10 |
| Reimbursements (suits against city employees) | 58 |
| Amount paid out on reimbursements. | 11,341 38 |

Total amount paid out on claims. \$14,721 48

| | |
|---|-------|
| Claims returned to Committee on Claims on which Statute of Limitations had expired. | 256 |
| Claims pending December 31, 1938. | 1,223 |

For the Committee,
 EDWARD A. HUTCHINSON, JR.,
 Chairman.

Accepted and ordered printed.

FENCING OFF PARTS OF NEPONSET RIVER.

Coun. NORTON offered the following:
 Ordered, That the Metropolitan District Commission, through his Honor the Mayor, be requested to make a study of the advisability of fencing off sections of the Neponset river where it flows through Hyde Park and other thickly congested residential areas, with a view to saving some of the children who are drowned yearly.

Coun. NORTON—Mr. President, in this order I am merely asking his Honor the Mayor to get in touch with the Metropolitan District Commission in this matter, with a view to remedying a very bad situation.

The order was passed under suspension of the rule.

CONGRATULATIONS ON MAYOR TOBIN'S RECORD.

Coun. NORTON—Mr. President, may I at our last meeting for 1938 make a statement in regard to our Mayor? There is one man who is entitled to a "Happy New Year" wish from this Council and the people of Boston, and that is Mayor Tobin. Under him we have just witnessed, during his first year in office, the most honest administration of the city's affairs since the days of the late lamented Patrick A. Collins, an outstanding Mayor. During the past twelve months waste and extravagance of the people's money have been practically unknown in a city that virtually reeked with those two elements in the past. This is the first year in many a day that our Mayor's name has not been connected with an Exchange street scandal, a two-million dollar snow-removal disgrace or a White Fund episode that involved the wasting of money left for the sick poor of Boston. I congratulate the honest Mayor Tobin on his first year's record. The multitude who supported him in his campaign can rightfully rejoice. He truly represents the oncoming generation of youth in high public office. If his coming years in public office are as honorable as his first one, he will go far in the service of his state and nation. It is a distinct privilege for one who has fought more Mayors over a long period of years than any other member of this body, to stand here at this propitious hour and make that statement.

RECESS.

The Council voted at 3.23 p. m., on motion of Coun. MURRAY, to take a recess subject to the call of the Chair. The members reassembled and were called to order by President KERRIGAN at 4.50 p. m.

EXECUTIVE COMMITTEE REPORTS.

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

1. Report on ordinance (referred today) licensing vending machines for sale of cigarettes or tobacco—recommending reference to Committee on Ordinances.

Report on ordinance (referred today) prohibiting use of vending machines for sale of cigarettes or tobacco—recommending reference to Committee on Ordinances.

The report was accepted and the ordinances were referred to the Committee on Ordinances.

2. Report on order (referred today) that Boston Finance Commission be requested to investigate the so-called taxicab scandal—that same ought to pass.

Report accepted; said order declared passed.

Coun. MURRAY asked for a roll call.

The order was passed by roll call, yeas 21, nays 0.

3. Report on resolve (referred today) *re* information concerning fund \$10,000 raised to influence Council action on taxicab situation—that same ought not to pass.

Coun. WILSON—Mr. President, speaking on that resolution,—on which I request a roll call,—I repeat what I previously stated, that, in my opinion, if there is any member of the Council who has any knowledge of any statement purported to have been made yesterday in the Committee on Public Safety, he, of course, is morally bound to enlighten the members of the Council as to the facts that are in his possession. If any member of the Council having such knowledge complies with the purpose of the resolution, there would be no need of passing the resolution. For that reason, I ask for a roll call.

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

Coun. WILSON asked for the yeas and nays on the motion to lay on the table.

The roll was called, and the Council voted to lay the resolution on the table, yeas 12, nays 8:

Yeas—Coun. Agnew, Englert, Fish, Galvin, Harris, Irwin, Kelly, Kerrigan, Langan, Murray, Rosenberg, Sullivan—12.

Nays—Coun. Carey, Chase, Fitzgerald, Lyons, Norton, Shattuck, Taylor, Wilson—8.

REPORT OF COMMITTEE ON FEES AND LICENSES.

Coun. GALVIN, for the Special Committee on License Fees, submitted the following report on ordinance (referred November 21) for revision of fees—recommending passage of accompanying new draft, viz.:

REPORT OF SPECIAL COMMITTEE ON FEES AND LICENSES.

The Special Committee on Fees and Licenses, to whom was referred on November 21, 1933, the message of his Honor the Mayor, inclosing report of the Survey Committee appointed to consider a revision of existing fees and licenses, herewith reports, in so far as fees requiring City Council action are concerned, the following:

BUILDING DEPARTMENT.

The committee reports in favor of the proposed fees in the Building Department, as against the present fees, as follows:

Building Law Appeals.

\$15 instead of \$10.

Zoning Law Appeals.

\$25 as against the present fee of \$15.

Licensing of Gasfitters.

\$25 as against the present fee of \$15.

COLLECTING DEPARTMENT.

The committee recommends the proposed fee of \$2.50 as against \$1.00, the present fee for lien certificates.

HEALTH DEPARTMENT.

The committee recommends the proposed fee of \$5.00 per truck as against \$1.00 per truck on collection of grease; the proposed fee of \$5.00 per truck as against the present fee of \$2.00 per truck on collection of garbage, the proposed fee of \$1.00 for each location and vehicle in connection with the sale of milk and oleomargarine, as against the present fee of fifty cents; the proposed fee on peddlers of \$10 for sales in the market district and \$5.00 for sales in other parts of the city as against the present fee of \$5.00; the proposed annual fee of \$100 for all slaughtering houses, for slaughtering of animals, as against the present fee of \$1.00; the proposed annual fee of \$25 instead of the present fee of \$1.00 on offensive trades.

LICENSING BOARD.

The committee recommends the proposed fee of \$25 for innholders who do not have a liquor license, and \$5.00 where innholder holds a liquor license, as against the present fee of \$5.00; a fee of \$2.00 instead of the present fee of \$1.00 on beverages, per location; a fee of \$7.50 for common victualers whether liquor is, or is not, served, instead of the present fee of \$5.00.

STREET LAYING-OUT DEPARTMENT.

Illuminated Signs.

The committee recommends the proposed fee of \$3.00 for twenty square feet or less; \$5.00 up to forty square feet; ten cents per square foot in excess of forty square feet; no illuminated sign to project over the highway for more than five feet without an additional charge of \$1.00 per linear foot, or fraction thereof; the fee in no case to exceed \$100.

Marquees.

The committee recommends the proposed fee of \$10 for twenty linear feet, or less; ten cents per linear foot, or fraction thereof; all other signs \$2.00 per year. The fee in no case to exceed \$100, and it is also agreed that the fees for both illuminated signs and marquees at the same location shall, in no case, total more than \$100.

Plain Signs.

The committee recommends that on plain cloth or canvas signs the proposed fees shall be twenty cents per square foot per month, or fraction thereof; all other signs \$2.00 per year, in place of the present fee of \$1.00.

Street Stands.

The committee recommends on street stands the proposed maximum fee of \$300 instead of the present maximum fee of \$100.

Gasoline and Inflammable Fluids.

The committee recommends the proposed fee on gasoline and inflammable fluids in place of the present fee of \$1.00 as follows: Structures with a storage capacity of 1 to 500 gallons, \$5.00; 501 to 2,500 gallons, \$7.50; 2,501 to 5,000 gallons, \$10; 5,001 to 10,000 gallons, \$20; 10,001 to 50,000 gallons, \$40; 50,001 to 100,000 gallons, \$75; 100,001 to 1,000,000 gallons, \$125; 1,000,001 to 5,000,000 gallons, \$250; 5,000,001 gallons and over, \$500.

WEIGHTS AND MEASURES DEPARTMENT.

The committee recommends the following proposed fees: On scales with a weighing capacity of 100 to 5,000 pounds, \$1.00 instead of 50 cents; on scales with a weighing capacity of 5,000 to 10,000 pounds, \$2.00 instead of \$1.00; on scales with a weighing capacity of more than 10,000 pounds, \$3.00 instead of \$2.00; on all other scales and balances twenty-five cents instead of ten cents; on all weights and other measures, except measuregraphs and liquid measures over one gallon, ten cents instead of three cents; on personal weighing machines, \$1.00 instead of fifty cents.

The committee feels that the fees here recommended represent a general consensus of opinion, with slight deviations one way or the other, of those who appeared before the committee; also that if any inequality or unevenness, which should be corrected, develops in the working out of the proposed fees, amendments can later be made.

For the Committee,

WILLIAM J. GALVIN, Chairman.

CONCERNING FEES FOR CERTAIN LICENSES AND PERMITS.

Be it ordained by the City Council of Boston as follows:

Section 1. The fees hereinafter set forth are hereby established for the following licenses and permits under authority of chapter 297 of the Acts of 1931:

1. The fee for the licenses of employing gas fitters and journeymen gas fitters provided for under chapter 265 of the Acts of 1897 as amended, shall be, for an employing gas fitter, \$2.00 for the original license, which license shall be for a period of one year and \$1.00 for each annual renewal thereof, and for a journeyman gas fitter, \$1.00 for the original license, which license shall be for a period of one year, and 50 cents for each annual renewal thereof.

2. The fee for a certificate of municipal liens, itemizing taxes and other assessments on real estate, provided for under section 23 of chapter 60 of the General Laws, shall be \$2.50.

3. The fee for the permit for the removal and transportation of garbage, offal or other offensive substances, provided for under section 31A of chapter 111 of the General Laws, as amended, shall be \$5.00 for each vehicle used in such removal and transportation.

4. The fee for the license to deliver, exchange, expose for sale or sell, or have in one's custody or possession with intent so to do, any milk, skimmed milk or cream, provided for in section 41 of chapter 94 of the General Laws, shall be \$1.00 for each location and \$1.00 for each vehicle used for the purposes authorized by said license.

5. The fee for the license to sell oleomargarine, provided for under sections 52 and 53 of chapter 94 of the General Laws, shall be \$1.00 for each location and \$1.00 for each vehicle used for the purposes authorized by said license.

6. The fee for the license for carrying on the business of slaughtering neat cattle, sheep or swine, provided for under section 119 of chapter 94 of the General Laws, shall be \$100.

7. The fee for the license for occupying or using a building or other premises for carrying on the business of slaughtering cattle, sheep or other noxious or offensive trade and occupation or permitting or allowing said trade or occupation to be carried on upon premises owned or occupied by the person carrying on said business or trade or occupation, provided for under section 151 of chapter 111 of the General Laws, shall be \$25 per annum.

8. The fee for the license for innholders, provided for under section 2 of chapter 140 of the General Laws, shall be \$25, provided, however, that in the event that an innholder is the holder of a license for the sale of alcoholic beverages said fee shall be \$5.00.

9. The fee for the license for common victualers, provided for under section 2 of chapter 140 of the General Laws, shall be \$7.50.

10. The fee for the license to persons, to keep open their places of business for the retail sale of beverages, provided for under section 21A of chapter 140 of the General Laws, shall be \$2.00.

11. The fee for a permit for the following signs and other structures projecting into ways, provided for under section 8 of chapter 85 of the General Laws, shall be

(a) Plain signs of cloth or canvas twenty cents per square foot per month or fraction thereof.

(b) Illuminated signs twenty square feet or less \$3.00 per annum; more than twenty square feet up to and including forty square feet, \$5.00 per annum; more than forty square feet, \$5.00 per annum, plus ten cents per annum for each additional square foot or fraction thereof in excess of forty square feet; provided, however, that when any illuminated sign projects over the public way in excess of five feet, there shall be an additional fee of \$1.00 per annum for each linear foot or fraction thereof of said excess projection.

(c) Marquees: Twenty linear feet or less, \$10 per annum; more than twenty linear feet, \$10 per annum, plus ten cents per annum for each additional linear foot or fraction thereof in excess of twenty linear feet.

(d) Canopies: \$1.00 for each permit for one day and \$50 for each permit for one year.

(e) All other signs and structures for which a permit may be required under the provisions of said section 8 of chapter 85 of the General Laws, \$2.00 per annum.

provided, however, that the maximum aggregate fee for all permits granted for signs and other structures for which a permit may be required under the provisions of said section 8 of chapter 85 of the General Laws shall be \$100 per annum for any one person at any one location.

12. The fee for a license for the use of public streets for the storage and sale of merchandise provided for under chapter 584 of the Acts of 1907 shall be not less than \$5.00 nor more than \$300 for each license issued.

13. The fee for the license for the keeping, storage, manufacture or sale of crude petroleum or any of its products or explosive or inflammable fluids or compounds provided for under section 13 of chapter 148 of the General Laws, as amended, shall be as follows:

For structures with a storage capacity of 1 to 500 gallon, \$10.00. For structures with a storage capacity of 501 to 2,500 gallons, \$15.00. For structures with a storage capacity of 2,501 to 5,000 gallons, \$20.00. For structures with a storage capacity of 5,001 to 10,000 gallons, \$40.00. For structures with a storage capacity of 10,001 to 50,000 gallons, \$80.00. For structures with a storage capacity of 50,001 to 100,000 gallons, \$150.00. For structures with a storage capacity of 100,001 to 1,000,000 gallons, \$250.00. For structures with a storage capacity of 1,000,001 to 5,000,000 gallons, \$500.00, and over five million gallons, \$1,000.00.

provided, however, that the fee for each annual registration under said section shall be fifty per cent of the fee herein set forth for the original license.

14. The fee for sealing the following weighing or measuring devices provided for in section 56 of chapter 98 of the General Laws, as amended, shall be as follows:

Each scale with a weighing capacity of 100 to 10,000 pounds, as set forth in item (a) and (b¹) of said section, \$2.00;

Each scale with a weighing capacity of more than 10,000 pounds, as set forth in item (b) of said section, \$3.00;

All other scales, balances and measures on pumps, as set forth in item (e) of said section, twenty-five cents each;

All weights and other measures, as set forth in item (j) of said section, five cents each.

Section 2. Section 19 of chapter 39 of the Revised Ordinances of 1925 is hereby amended in the third paragraph thereof establishing the fee for licenses to hawk and peddle fruits and vegetables by striking out the words "five dollars per annum" at the end thereof and inserting in place thereof the words "ten dollars per annum for sales within the market limits and five dollars per annum for sales elsewhere."

Section 3. The fees herein prescribed shall take effect January 1, 1939, except that for licenses or permits which expire on an annual date subsequent to January 1, the fee shall take effect upon the expiration of the present license, if any.

The report of the committee was accepted and the question came on the passage of the ordinance.

Coun. WILSON—Mr. President, while I have every confidence in the ability of the committee I regret very much, when it comes to a question of the revamping of license fees of the City of Boston, the committee should have filed their report at this time, at five o'clock in the afternoon, and expect to have it passed upon without any chance for consideration. Not that I am against the report of the committee, but on this or any other matter presented in such a way, without any chance whatever for consideration, I regret that I cannot cast an affirmative vote without any knowledge whatever, and that I will have to vote "no."

Coun. GALVIN—Mr. President, the delay in presenting the report was unavoidable. The committee meeting when the items to be reported were finally considered lasted until 1.15 today; after which time Mr. Harnden had to prepare the report in its final form. If possible, it would have been presented earlier in the meeting.

Coun. FITZGERALD—Mr. President, I am of the same opinion as Councilor Wilson. I had understood that the report was to be submitted early in the meeting, and that it was at least to be referred to the Executive Committee for consideration before being passed upon by the body. I feel, as the councilor from Dorchester does, that this is a very important matter. I have heard more protests yesterday and today on these proposed fees than I heard in the beginning. As people learn about what is proposed, they increasingly object. I believe especially at a meeting in old Faneuil Hall, we should not rush an important matter like this through without any chance for proper consideration. The matter has, of course, been considered for some eight months by a survey committee comprising three employees of the city. That report was presented to this body and was referred to our Special Committee on License Fees. During the past month that committee has held hearings and now at this late moment when we are winding up the year, this report is presented and we are expected to act upon it without any chance whatever for consideration. This is a matter that involves the welfare of scores and scores of people. The raising of the fees means throwing

out of employment a great many persons. Under another guise, it is nothing more nor less than a sales tax, which the Legislature has already voted down. I believe that many of the present fees are not right, but certainly when it is proposed to increase them, it is a matter that requires some deliberation and consideration. But we are asked now, at this late hour, to come in here and vote for these increased fees. In some respects my district is probably affected more than the rest of the city. We have right here in the market district a great many who will be seriously affected by these proposed fees. I realize that this is going to pass. I realize that this Council has got to do it. I believe, from what I know of members of the Council, that they are going to vote in favor of raising these fees as reported. I know myself of certain cases where people will be seriously affected. If we are going to take this action, certainly some proper discrimination should be shown after due consideration of the matter. I know that no words of mine are going to change the minds of the members, but I say now that I am going to vote "no" on this question and I wish now to go on record as stating that I shall vote "no." I am not going to be responsible for throwing people out of employment. I know of at least one place where, if this goes into operation, a number of employees will be thrown out. I talked with a man yesterday who stated to me that the proposed raising of fees, as it affected him, would make it impossible for him to remain in business. I knew earlier what the answer was going to be, but I realize that nothing can check it and that we are now going to drive people out of business, tax them to death. We all know the foundation stone upon which this republic was started—liberty, and no taxation without representation. We are in this historic hall, gazing upon the scene representing Daniel Webster in the United States Senate announcing the doctrine of "Union and Liberty, now and forever, one and inseparable." Let us not now, in this great hall dedicated to liberty, penalize our people, throw them out of business, without a chance for proper consideration of such a measure as this, simply to get a few paltry dollars.

Coun. SULLIVAN—Mr. President, as a member of the License Committee I wish to take issue with the gentleman from Ward 3 (Coun. Fitzgerald). This is not a new subject to the members of the body. We had a lengthy conference with his Honor the Mayor, we had before us a survey produced by some of our leading city officials after long study and many of the members of the body were present at the meetings of the committee where this matter was studied and considered. There is no question in the minds of any of us that the city needs additional revenue or that this is a matter which should have been acted upon long ago.

Coun. TAYLOR—Mr. President, Councilor Wilson feels that the members have not had sufficient time to consider the question of raising these license fees. But I think the real question before the body is, whether it is not high time that the license fees should be raised. Much time has been given to consideration of this matter by the committee, and I feel that the report now presented to the body is as intelligent and comprehensive a report as could have been expected under the circumstances. There are some things in it with which I agree and others with which I am not in accord. But, in reply to Councilor Wilson's suggestion that this should have been placed before the Executive Committee, I wish to remind Councilor Wilson that we were before the Mayor the day before Christmas, stayed there an hour and a half or two hours, in what was the same as an executive session, going into each item carefully and thoroughly. So I think each member here should be thoroughly acquainted with the items. Personally, I have sufficient information to enable me to act upon it, and I hope there will be no delay.

Coun. WILSON—Mr. President, I was one of those who were gratified by the action of the present Mayor of Boston, in contradistinction to some of his predecessors, when he called the members in to go over various of these license fee items. I have been interested in the subject matter for many years. At the same time, I do not like the way in which this has been brought before us by the committee, at five o'clock in the afternoon, just before we adjourn for the year, and with no chance to consider it in executive

session. I heard the Mayor go over some of these license items, but, if my memory does not fail me, there were other items left for further investigation and without discussion. I am not opposed to increasing certain license fees in the City of Boston, and I have every sympathy with the work of the committee, which must have had a hard job. I am also in sympathy with the Mayor, who realizes the condition of the city, and feels that something should be done to increase its income. I do, however, think that more opportunity should be given to members to consider this important matter before acting. Personally, I would have no objection to meeting on the subject tomorrow afternoon. In any event, however, I desire to make my position clear upon the record,—that, while I have every respect for the Mayor of Boston, I will not vote for any measure favored by any Mayor in the closing minutes of the year, without knowing something about the subject on which I am voting. We have had no discussion of the matter today, no explanation of the final items determined upon by the committee. It may be that the committee had difficulty in completing and presenting its report, and that that accounts in part for the delay. I do know, however, that the fact is that this report is presented here at five o'clock in the afternoon, within a short time of our adjournment, and that I will not vote on any subject until I understand it.

Coun. GALVIN—Mr. President, I am in hearty accord with taking this matter up in executive session at the present time.

(A recess was taken from 5.12 p. m. to 6 p. m.)

The question came on the adoption of the license ordinance as presented by the committee.

Coun. TAYLOR—Mr. President, I move that clause 6 relative to the business of slaughtering be stricken from the ordinance.

Coun. SULLIVAN—Mr. President, my feelings in regard to this slaughter house question have been fully presented in the committee. I did not realize, however, how the proposed fee on slaughtering houses would affect our Hebrew friends. For that reason, I will agree with the motion that has been made by Councilor Taylor.

Coun. HUTCHINSON—Mr. President, my feelings in regard to this slaughtering house question have also been fully expressed in meetings of the Committee on Fees and Licenses. However, in deference to my brother councilor (Coun. Taylor), I withdraw the objections that I expressed in the committee to the continuance of the present fees.

The amendment proposed by Councilor Taylor was adopted, and the ordinance as amended, was passed.

THE NEXT MEETING.

The Council voted, on motion of Coun. MURRAY, that when it adjourns it be to meet on Tuesday, January 3, 1939, at 2 p. m.

ORDINANCE RE SUNDAY SPORTS.

Coun. GALVIN offered the following:

An Ordinance Concerning Sunday Sports.

Be it ordained, etc.

Section 1. Chapter one of the Ordinances of 1929, concerning professional outdoor sports on the Lord's Day, as amended by chapter one of the Ordinances of 1931 and chapters one and two of the Ordinances of 1935, is hereby further amended in section one by inserting after the word "games" in the third line of said section the words "or indoor hockey or indoor basketball games."

Section 2. Said chapter one of the Ordinances of 1929, as amended by chapter one of the Ordinances of 1931 and chapters one and two of the Ordinances of 1935, is hereby further amended in clause four of section one thereof by inserting after the word "games" at the end of the third line thereof the words "or indoor hockey or indoor basketball games."

Section 3. Said chapter one of the Ordinances of 1929, as amended by chapter one of the Ordinances of 1931 and chapters one and two of the Ordinances of 1935 is hereby further amended in clause six of section one thereof by inserting after the word "field" in the second line thereof the words "or building or other structure."

Referred to the Committee on Ordinances.

THANKS TO PRESIDENT KERRIGAN.

Coun. MURRAY offered the following:

Resolved, That the thanks and appreciation of the Boston City Council be extended to Councilor John E. Kerrigan for the courtesy, the dignity and impartiality with which he has presided over the deliberations of the City Council during the present municipal year.

The resolution was passed by a unanimous rising vote, with accompanying applause.

President KERRIGAN—I wish to thank my colleagues very much for paying me this great honor. I have enjoyed the past year. It has been a great experience to me. I never thought when I entered public office that I would have the honor and privilege of serving as President of this body and at times as Acting Mayor of the City of Boston. I want also to thank the attaches, every one of whom has been so kind to me. It has been my especial privilege to rely on our City

Clerk, Wilfred Doyle, and his associate, John Hynes. I shall always cherish the wonderful privilege I have enjoyed as a member of the Boston City Council. (Applause.)

Adjourned, on motion of Coun. GALVIN, at 6.05 p. m., to meet on Tuesday, January 3, 1939, at 2 p. m.

CORRECTION.

In the debate on "Payment to Daniel A. Whelton" at the Council meeting on December 19, 1938, on page 421, Coun. Taylor is reported as saying, "We have the councilor (Coun. Fitzgerald) now coming in and asking the City of Boston to reimburse this man, who is a member of his club for money that he claims to have paid out." Coun. Taylor did not say "is a member of his club." The reporter misunderstood.

